

# Winthrop Middle School

Winthrop, Massachusetts



Student/Parent Handbook  
2020-2021

Winthrop Middle School  
Winthrop, Massachusetts

## **STUDENT HANDBOOK 2020-2021**

### **WINTHROP SCHOOL OFFICIALS**

#### **SCHOOL COMMITTEE**

Mr. Brian Perrin, Chairman  
Mr. Phil Boncore, Town Council President  
Mr. Valentino Capobianco, Member  
Ms. Suzanne Swope, Member

Ms. Jennifer Powell, Vice Chairman  
Ms. Julie Barry, Member  
Mr. Gus Martucci, Member

#### **CENTRAL OFFICE ADMINISTRATION**

Mrs. Lisa Howard, Superintendent of Schools

#### **WINTHROP MIDDLE SCHOOL ADMINISTRATION**

Mr. Brian N. Curley, Principal  
Ms. Justeen Franzese, Assistant Principal  
Mr. Mark Degregorio, Chairperson of Evaluation Team

#### **VISION**

Winthrop Public School graduates are confident self-directed lifelong learners who are productive contributors to the diverse global community.

#### **MISSION**

Winthrop Public Schools will provide progressive learning experiences through a rich program of studies and high-quality instruction that educate, develop and support all students to reach their full potential and appreciate the diversity in our world as conscientious members of society.

#### **WPS CORE VALUES**

**PRIDE**

**PERSONAL SUCCESS\*RESPECT\*INTEGRITY\*DEDICATION\*EXCELLENCE**

# **Winthrop Middle School**

## *Core Values*

*Winthrop Middle School has created their core values around the principle of “Stand Up as One”. Students are expected to be respectful, kind, courageous, positive, honest, and open-minded. We, as a school, feel these values will help create a culture where all students will feel a part of this school and community.*

## Rules and Regulations

To have a positive school environment we have established a clear set of rules and regulations that allows us to function as a school community where everyone will feel safe and comfortable at all times. Students will be disciplined when behavior is inappropriate, disruptive, disrespectful, or when conduct could cause injury to anyone. If a student is sent out of class, he/she should report immediately to an administrator in the office.

### Resolution Levels:

- A. Staff member:** Staff members are encouraged to resolve minor school infractions, which may include a warning and detention with staff member. If the staff member feels that the situation requires administrative action, the student will then be sent to the office.
- B. Administrative** Students referred by staff for administrative action may receive the following actions:
- a. Warning
  - b. Silent Lunch/Lunch Detention
  - c. Assigned detention (D-Session)/Extended D-Session
  - d. In-school suspension
  - e. \*Saturday School (if available)
  - f. Suspension (Out of School)
  - g. Expulsion

\*If Saturday School is not available; student will have either In-School or School Suspension. Decision will be made by administration.

- C. Appeal Process** Please see Disciplinary Due Process section

## Winthrop Middle School School Rubric 2019-2020

Escalating Consequences	1st Consequence +	2nd Consequence	+ 3rd Consequence	+ 4th Consequence
<i>Behavior</i>	(If stated in box, parents called by student with adult who observed behavior)	(Student calls parents observed by teacher <u>or</u> office)	(Parents called by office w/student)	(Parents called by office w/student)
Failure to serve detention(s)	<ul style="list-style-type: none"> <li>Office detention served that day at lunch and after school</li> </ul>	<ul style="list-style-type: none"> <li>Detention number doubled</li> </ul>	<ul style="list-style-type: none"> <li>Saturday School</li> </ul>	<ul style="list-style-type: none"> <li>1 Day In-School Suspension</li> </ul>
Unauthorized use of Electronic Devices in school (Cell phones, video or digital music and gaming devices, cameras, text messaging, phone internet, smart watch etc.)	<ul style="list-style-type: none"> <li>Item confiscated</li> <li>Student to pick up item in office after school</li> </ul>	<ul style="list-style-type: none"> <li>2 Lunch detentions</li> <li>Item confiscated</li> <li>Parent notified to pick up item in office</li> </ul>	<ul style="list-style-type: none"> <li>Parent meeting</li> <li>Saturday school</li> <li>Item will be dropped off daily in the Main Office and picked up after school for two weeks</li> <li>Item confiscated</li> <li>Parent notified to pick up item in office</li> </ul>	<ul style="list-style-type: none"> <li>1 Day Suspension</li> <li>Item will be dropped off daily in the Main Office and picked up after school for remainder of school year</li> <li>Item confiscated</li> <li>Parent notified to pick up item in office</li> </ul>
Headphones, laser pointers and other electrical devices prohibited during school hours and after school activities.	<ul style="list-style-type: none"> <li>Item confiscated</li> <li>Student notified to pick up item in office</li> </ul>	<ul style="list-style-type: none"> <li>1 Office detentions</li> <li>Item confiscated</li> <li>Parent notified to pick up item in office</li> </ul>	<ul style="list-style-type: none"> <li>Parent meeting</li> <li>Saturday school</li> </ul>	<ul style="list-style-type: none"> <li>1 Day In-School Suspension</li> </ul>
Use of camera or recording device without <u>permission</u> is illegal	<ul style="list-style-type: none"> <li>Item confiscated</li> <li>Parent picks up item</li> <li>Parent/student conference</li> <li>3 Detentions</li> <li>Possible legal action</li> <li>Possible Police Notification</li> </ul>	<ul style="list-style-type: none"> <li>Saturday school</li> <li>Possible legal action</li> </ul>	<ul style="list-style-type: none"> <li>1 Day Suspension</li> <li>Possible legal action</li> </ul>	<ul style="list-style-type: none"> <li>3 Day Suspension</li> <li>Possible legal action</li> </ul>
Being in an unsupervised area of the building without permission and/or hall pass (ex. bathrooms, High School, etc., Details on page 18).	<ul style="list-style-type: none"> <li>Office Detention</li> </ul>	<ul style="list-style-type: none"> <li>3 Office Detentions</li> </ul>	<ul style="list-style-type: none"> <li>In-School Suspension</li> </ul>	<ul style="list-style-type: none"> <li>School Suspension</li> </ul>

## Winthrop Middle School School Rubric 2019-2020

Escalating Consequences	1st Consequence +	2nd Consequence	+ 3rd Consequence	+ 4th Consequence
Misuse of Chromebook (Details on Page 15)	<ul style="list-style-type: none"> <li>• Parent Notified</li> <li>• Lunch Detention</li> </ul>	<ul style="list-style-type: none"> <li>• Parent Notified</li> <li>• Office Detention</li> </ul>	<ul style="list-style-type: none"> <li>• Parent Notified</li> <li>• Saturday School</li> </ul>	<ul style="list-style-type: none"> <li>• Parent Conference with teacher and an administrator.</li> <li>• Loss of Chromebook for 2 weeks.</li> </ul>
Removed from class by teacher	<ul style="list-style-type: none"> <li>• Parent Notified by teacher either via phone or email of the incident.</li> <li>• Lunch Detention</li> </ul>	<ul style="list-style-type: none"> <li>• Parent Notified by teacher either via phone or email of the incident.</li> <li>• Office Detention</li> </ul>	<ul style="list-style-type: none"> <li>• Parent Notified by teacher either via phone or email of the incident.</li> <li>• Administrator will also contact parents.</li> <li>• Saturday School</li> </ul>	<ul style="list-style-type: none"> <li>• Parent Notified by teacher either via phone or email of the incident.</li> <li>• Administrator will also contact parents.</li> <li>• Parent conference with student, parent, and administrator.</li> <li>• Suspension</li> </ul>
Cafeteria Misconduct	<ul style="list-style-type: none"> <li>• Parent Notified</li> <li>• Lunch Detention</li> </ul>	<ul style="list-style-type: none"> <li>• Parent Notified</li> <li>• Lunch Detention x2</li> </ul>	<ul style="list-style-type: none"> <li>• Parent Notified</li> <li>• Lunch Detention and an Office Detention</li> </ul>	<ul style="list-style-type: none"> <li>• Parent Notified</li> <li>• Saturday School</li> </ul>
Corridor Misbehavior (running in the hallways or stairwells, slamming lockers, shouting in halls, etc.)	<ul style="list-style-type: none"> <li>• Parent Notified</li> <li>• Office Detention</li> </ul>	<ul style="list-style-type: none"> <li>• Parent Notified</li> <li>• Multiple Office Detentions</li> </ul>	<ul style="list-style-type: none"> <li>• Parent Notified</li> <li>• Saturday School</li> </ul>	<ul style="list-style-type: none"> <li>• Conference with student, parent, and administrator.</li> <li>• Possible Suspension</li> </ul>
Multiple School Infractions	<ul style="list-style-type: none"> <li>• Parent Notified</li> <li>• Saturday School</li> </ul>	<ul style="list-style-type: none"> <li>• Conference with student, parent, and administrator.</li> <li>• Possible Suspension</li> </ul>		
Violation for inappropriate dress (Details on page 17)	<ul style="list-style-type: none"> <li>• Parent Notified</li> <li>• Change of clothes if possible</li> </ul>	<ul style="list-style-type: none"> <li>• Parent Notified</li> <li>• Change of clothes if possible</li> </ul>	<ul style="list-style-type: none"> <li>• Parent Notified</li> <li>• Change of clothes if possible</li> </ul>	<ul style="list-style-type: none"> <li>• Parent Notified</li> <li>• Change of clothes if possible</li> </ul>
Inappropriate language & depending on severity, minimum consequences:	<ul style="list-style-type: none"> <li>• Office Detention</li> <li>• Parent notified</li> </ul>	<ul style="list-style-type: none"> <li>• 3 Office Detentions</li> <li>• Parent Notified</li> </ul>	<ul style="list-style-type: none"> <li>• Saturday School</li> <li>• Parent Notified</li> </ul>	<ul style="list-style-type: none"> <li>• Suspension</li> <li>• Parent Notified</li> </ul>
Displays of Affection	<ul style="list-style-type: none"> <li>• Warning</li> </ul>	<ul style="list-style-type: none"> <li>• Referred to an Administrator</li> </ul>	<ul style="list-style-type: none"> <li>• Referred to an Administrator</li> </ul>	<ul style="list-style-type: none"> <li>• Referred to an Administrator</li> </ul>

## Winthrop Middle School School Rubric 2019-2020

Escalating Consequences	1st Consequence +	2nd Consequence	+ 3rd Consequence	+ 4th Consequence
Use of an audio recording device without permission can result in a criminal action by the police	<ul style="list-style-type: none"> <li>• Parent Notified</li> <li>• Item confiscated</li> <li>• Parent picks up item</li> <li>• Parent/student conference</li> <li>• 3 Detentions</li> <li>• Possible police notification</li> </ul>	<ul style="list-style-type: none"> <li>• Parent Notified</li> <li>• Saturday School</li> <li>• Possible police notification</li> </ul>	<ul style="list-style-type: none"> <li>• Parent Notified</li> <li>• 1-day Suspension</li> <li>• Possible police notification</li> </ul>	<ul style="list-style-type: none"> <li>• Parent Notified</li> <li>• 3-day Suspension</li> <li>• Possible police notification</li> </ul>
Unauthorized absence from class	<ul style="list-style-type: none"> <li>• Four office detentions</li> <li>• Parent called</li> </ul>	<ul style="list-style-type: none"> <li>• Parent conference</li> <li>• Saturday School</li> </ul>	<ul style="list-style-type: none"> <li>• 1-day In-School Suspension</li> </ul>	<ul style="list-style-type: none"> <li>• 1-day Out of School</li> </ul>
Unauthorized Absence from School	<ul style="list-style-type: none"> <li>• Saturday School</li> <li>• Police may be notified</li> </ul>	<ul style="list-style-type: none"> <li>• 2-day In School Suspension</li> </ul>	<ul style="list-style-type: none"> <li>• 3-day In-School</li> <li>• Possible Court Involvement</li> </ul>	
Leaving school grounds without permission	<ul style="list-style-type: none"> <li>• Parent notified by administration</li> <li>• Suspension/Saturday school</li> <li>• Police may be notified</li> </ul>	<ul style="list-style-type: none"> <li>• Parent conference</li> <li>• 2-day Suspension</li> <li>• Police will be notified</li> </ul>	<ul style="list-style-type: none"> <li>• 5-day Suspension</li> <li>• Court Involvement</li> </ul>	
Plagiarism Plagiarism is defined as taking the words, thoughts, or ideas of another including the internet or website sources and using them as one's own without giving proper credit to the original author, writer, or speaker. Any student who is found to have plagiarized material be it a test, quiz, or final exam will be disciplined by the teacher.	<ul style="list-style-type: none"> <li>• Administrator notified</li> <li>• Parent called by classroom teacher</li> <li>• Office Detention</li> <li>• Student will redo the assignment for partial credit.</li> <li>• Student must attend 2 extra help sessions on how to properly site sources</li> </ul>	<ul style="list-style-type: none"> <li>• Subject to administrative review</li> <li>• Zero on the assignment</li> </ul>	<ul style="list-style-type: none"> <li>• Subject to administrative review</li> <li>• Zero on the assignment</li> </ul>	<ul style="list-style-type: none"> <li>• Subject to administrative review</li> <li>• Zero on the assignment</li> </ul>

## Winthrop Middle School School Rubric 2019-2020

Escalating Consequences	1st Consequence +	2nd Consequence	+ 3rd Consequence	+ 4th Consequence
Stealing (Details on page 28)	<ul style="list-style-type: none"> <li>• Parent called</li> <li>• Item replaced</li> <li>• Suspension</li> <li>• Police notified</li> </ul>	<ul style="list-style-type: none"> <li>• Suspension(s)</li> <li>• Item replaced</li> <li>• Parent conference</li> <li>• Police notified</li> </ul>	<ul style="list-style-type: none"> <li>• Suspension(s)</li> <li>• Police notified</li> </ul>	
Vandalizing	<ul style="list-style-type: none"> <li>• Parent called</li> <li>• Damage restitution</li> <li>• Community service</li> <li>• Detention or suspension depending on severity</li> </ul>	<ul style="list-style-type: none"> <li>• Suspension(s)</li> <li>• Parent conference</li> <li>• Damage restitution</li> <li>• Police notified</li> </ul>	<ul style="list-style-type: none"> <li>• Suspension(s)</li> <li>• Police notified</li> <li>• Damage restitution</li> </ul>	
Offensive Graffiti Drawings/Hate Symbols	<ul style="list-style-type: none"> <li>• Parent called</li> <li>• Damage restitution</li> <li>• In-School suspension</li> <li>• Police notified</li> </ul>	<ul style="list-style-type: none"> <li>• Suspension</li> <li>• Parent called</li> <li>• Damage restitution</li> <li>• In-School Suspension</li> <li>• Police notified</li> </ul>	<ul style="list-style-type: none"> <li>• Possible participation in Diversion Program.</li> <li>• Attend classes on Hate Crimes</li> <li>• Community Service</li> </ul>	
Possession of drugs, drug paraphernalia, alcohol, other controlled substances	<ul style="list-style-type: none"> <li>• Parent notified</li> <li>• Suspension</li> <li>• Police notified</li> <li>• Possible exclusion</li> </ul>	<ul style="list-style-type: none"> <li>• Suspension(s)</li> <li>• Exclusion hearing</li> <li>• Parents notified</li> <li>• Police notified</li> </ul>		
Possession with intent to sell drugs, drug paraphernalia, alcohol, and controlled substances	<ul style="list-style-type: none"> <li>• Suspension</li> <li>• Exclusion hearing</li> <li>• Parents notified</li> <li>• Police notified</li> </ul>			
Smoking and possession of tobacco related products including electronic cigarettes matches or lighters in school and within 100 feet of school (Details on page 28)	<ul style="list-style-type: none"> <li>• 2-day Suspension</li> <li>• Parent called</li> </ul>	<ul style="list-style-type: none"> <li>• 3-day Suspension</li> <li>• Fine of \$75</li> </ul>	<ul style="list-style-type: none"> <li>• 5-day Suspension</li> <li>• Fine of \$100</li> </ul>	



## Winthrop Middle School School Rubric 2019-2020

Escalating Consequences	1st Consequence +	2nd Consequence	+ 3rd Consequence	+ 4th Consequence
Any student encouraging, arranging, or planning a fight between 2 or more students either through implied or direct language (including social media)	<ul style="list-style-type: none"> <li>Sent directly to Administrator</li> <li>Student calls home</li> <li>Saturday School</li> <li>Possible Police notified</li> </ul>	<ul style="list-style-type: none"> <li>Sent directly to Administrator</li> <li>1-2-day suspension</li> </ul>	<ul style="list-style-type: none"> <li>Sent directly to Administrator</li> <li>3-day suspension</li> </ul>	<ul style="list-style-type: none"> <li>5-day Suspension</li> <li>Police notified</li> </ul>
Possession of weapon or item perceived as a weapon	<ul style="list-style-type: none"> <li>Suspension &amp; possible exclusion</li> <li>Police notified</li> </ul>			
Defiance of authority to school staff	<ul style="list-style-type: none"> <li>Sent to Administrator</li> <li>3 Office Detentions</li> <li>Parent called</li> </ul>	<ul style="list-style-type: none"> <li>Saturday School</li> </ul>	<ul style="list-style-type: none"> <li>3-day Suspension</li> </ul>	<ul style="list-style-type: none"> <li>5-day Suspension</li> </ul>
Disruptive behavior on the bus	<ul style="list-style-type: none"> <li>Warning</li> <li>Parent called</li> </ul>	<ul style="list-style-type: none"> <li>1 week suspension from bus</li> </ul>	<ul style="list-style-type: none"> <li>1 month suspension from bus</li> </ul>	<ul style="list-style-type: none"> <li>All bus privileges revoked</li> </ul>
Bicycles, skateboards, roller blades, roller sneakers, scooters, etc. are not allowed to be used on school property (Details on page 14)	<ul style="list-style-type: none"> <li>Warning</li> </ul>	<ul style="list-style-type: none"> <li>Item confiscated 1 week</li> </ul>	<ul style="list-style-type: none"> <li>Item confiscated 1 month. Must be picked up by parent</li> </ul>	<ul style="list-style-type: none"> <li>Item confiscated until end of year. Must be picked up by parent</li> </ul>
Student Involvement in Hazing (Details on page 18)	<ul style="list-style-type: none"> <li>Suspension</li> <li>Parent Conference</li> <li>Police Notification</li> <li>Possible Exclusion</li> </ul>	<ul style="list-style-type: none"> <li>Exclusion Hearing</li> <li>Suspension</li> </ul>		

# Winthrop Middle School Harassment/Bullying Rubric 2019-2020

Escalating Consequences	1st Consequence +	2nd Consequence	+ 3rd Consequence	+ 4th Consequence
<i>Behavior</i>	(If stated in box, parents called by student with adult who observed behavior)	(Student calls parents observed by teacher <u>or</u> office)	(Parents called by office w/student)	(Parents called by office w/student)
Inflammatory/libelous/slanderous statements. This includes, but is not limited to spreading rumors and sending original and/or altered images in person, via electronic devices, and/or social media with the intent to make someone angry.	<ul style="list-style-type: none"> <li>• Sent directly to Administrator</li> <li>• Student calls home</li> <li>• 3 office detentions</li> <li>• Admin. Speaks with home</li> <li>• Possible Police notification</li> </ul>	<ul style="list-style-type: none"> <li>• Sent directly to Administrator</li> <li>• Admin. calls home</li> <li>• Saturday School</li> <li>• Possible Police notification</li> </ul>	<ul style="list-style-type: none"> <li>• Sent directly to Administrator</li> <li>• Admin. calls home</li> <li>• 1-day suspension</li> <li>• Possible Police notification</li> </ul>	<ul style="list-style-type: none"> <li>• Admin. calls home</li> <li>• 3-day Suspension</li> <li>• Possible Police notification</li> </ul>
Discriminatory Harassment-remarks about physical traits, gender, sexual orientation, race, religion, ethnicity, and/or learning disabilities	<ul style="list-style-type: none"> <li>• Sent directly to Administrator</li> <li>• Admin. calls home</li> <li>• Student calls home</li> <li>• 3 office detentions</li> <li>• Possible Police notification</li> <li>• Participate in Diversion Program</li> </ul>	<ul style="list-style-type: none"> <li>• Sent directly to Administrator</li> <li>• Admin. calls home</li> <li>• Suspension</li> <li>• Police notification</li> <li>• Saturday School for make-up work</li> </ul>	<ul style="list-style-type: none"> <li>• Sent directly to Administrator</li> <li>• Admin. calls home</li> <li>• Multi-day suspension</li> <li>• Police notification</li> <li>• Saturday School for make-up work</li> </ul>	<ul style="list-style-type: none"> <li>• 10-day Suspension</li> <li>• Exclusion Hearing</li> </ul>
Verbal, written, and/or electronic threats – (including cyber bullying) insinuating/stating emotional or bodily harm, threatening remarks	<ul style="list-style-type: none"> <li>• Sent directly to Administrator</li> <li>• Student calls home</li> <li>• Admin Speaks with home</li> <li>• Saturday School</li> </ul>	<ul style="list-style-type: none"> <li>• Sent directly to Administrator</li> <li>• Admin calls home</li> <li>• 1-2-day suspension</li> <li>• Possible police notification</li> </ul>	<ul style="list-style-type: none"> <li>• Sent directly to Administrator</li> <li>• Admin. calls home</li> <li>• 3-day suspension</li> <li>• Police notified</li> </ul>	<ul style="list-style-type: none"> <li>• Admin calls home</li> <li>• 5-day Suspension</li> <li>• Police notified</li> </ul>

Fighting/Extreme Physical Contact	<ul style="list-style-type: none"> <li>• Sent directly to Administrator</li> <li>• Admin. calls home</li> <li>• 2-day Suspension</li> </ul>	<ul style="list-style-type: none"> <li>• Sent directly to Administrator</li> <li>• Admin. calls home</li> <li>• 4-day suspension</li> </ul>	<ul style="list-style-type: none"> <li>• Sent directly to Administrator</li> <li>• Admin. calls home</li> <li>• 6-day suspension</li> <li>• Police Notified</li> </ul>	<ul style="list-style-type: none"> <li>• Admin. calls home</li> <li>• Suspension</li> <li>• Exclusion Hearing</li> </ul>
Forced another student to do something they did not want to do	<ul style="list-style-type: none"> <li>• Sent directly to Administrator</li> <li>• Student calls home</li> <li>• Admin. calls home</li> <li>• Saturday School</li> </ul>	<ul style="list-style-type: none"> <li>• Sent directly to Administrator</li> <li>• Admin. calls home</li> <li>• 1-2-day suspension</li> <li>• Possible police notification</li> </ul>	<ul style="list-style-type: none"> <li>• Sent directly to Administrator</li> <li>• Admin. calls home</li> <li>• 3-day suspension</li> <li>• Police notified</li> </ul>	<ul style="list-style-type: none"> <li>• Admin. calls home</li> <li>• 5-day Suspension</li> <li>• Police notified</li> </ul>
Unprovoked physical attack	<ul style="list-style-type: none"> <li>• Admin. calls home</li> <li>• 5-day suspension</li> <li>• Police notified</li> <li>• Possible exclusion hearing</li> </ul>	<ul style="list-style-type: none"> <li>• Admin. calls home</li> <li>• Suspension/Exclusion hearing</li> <li>• Police notified</li> </ul>		
Assault of any Administrator, teacher or staff	<ul style="list-style-type: none"> <li>• Admin. calls home</li> <li>• Suspension</li> <li>• Police notification</li> <li>• Exclusion Hearing</li> </ul>			

NOTE: Any behavior that is not specifically stated in the rubric is subject to administrator review and assignment of consequences.

NOTE: Any suspension results in student prohibited from participating in specific school-wide events at the discretion of administration.

# GENERAL INFORMATION

## **Access to a full range of education programs**

All students, regardless of race, color, sex, gender identity, religion, national origin, sexual orientation, disability, or homelessness, have equal access to the general education program and the full range of any occupational/vocational education programs offered by the district.

Title VI: 42 U.S.C. 2000d; 34 CFR 100.3(a),(b); EEOA: 20 U.S.C. 1703(f); Title IX: 20 U.S.C. 1681; 34 CFR 106.31, 106.34, 106.35; Section 504: 29 U.S.C. 794; 34 CFR 104.4; Title II: 42 U.S.C. 12132; 28 CFR 35.130; IDEA 2004: 20 U.S.C. 1400; 34 CFR 300.110; NCLB: Title III, Part A, Sec. 3121(c)(1)(C); Title X, Part C, Secs. 721, 722(g)(4); Mass. Const. amend. art. 114; M.G.L. c. 71A, s. 7; c. 76, s. 5; 603 CMR 26.03 as amended by Chapter 199 of the Acts of 2011.

## **Accountability**

In teaching our students responsibility and accountability, it is imperative that they come to school fully prepared each day. This includes bringing homework, lunches, notebooks/binders, writing implements, instruments, and whatever other materials are necessary for their day. Items may not be dropped off at school for students. Unless the matter is an emergency nature, messages will not be taken for students.

## **Admission**

No person shall be excluded from or discriminated against in admission to Winthrop Public Schools, or in obtaining the advantages, privileges, and courses of study on account of race, color, sex, religion, national origin, or sexual orientation.

## **Activities**

School rules and regulations prohibit a student from participating in extra-curricular activities if the student was not in attendance at school on the day of the activity. Students are encouraged to participate in after school activities. However, they may do so only after school obligations (such as detention, make-up work for class, etc.) are completed.

## **Alcohol Based**

Alcohol based products (i.e.: breath sprays, breathe drops) may not be used in school.

## **Assemblies**

Assembly programs are designed to be educational, informative, and entertaining. Courtesy and respect are to be practiced at all times.

## **Athletics**

Please Middle School Athletics Handbook on our school website:

<https://www.winthrop.k12.ma.us/Domain/287>

## **Attendance Policy**

- Achievement and overall success are directly related to school and class attendance. Students should remain out of school only for serious illness. Whenever absences occur, parents/guardians will notify the *Absentee Hotline*. Upon returning, students are required

to bring a signed parent note to the homeroom teacher explaining the nature of the absence.

- **Absentee Hotline** - For the overall safety of the students, it is imperative that parent(s)/guardian call the *Absentee Hotline* for each absence/tardy of their child. If a child is marked absent with no call to the *Absentee Hotline*, the student is considered as “missing”, and every effort will be made to contact the parent(s)/guardian. This procedure is for the overall protection and safety of the students.
- Chapter 76, section 1 of the Mass. General Laws states all children must attend school. A school district may excuse up to seven sessions or fourteen half-day sessions in any period of six months. A school district may file a CRA (Child Requiring Assistance) petition in court or a 51A with the Dept. of Social Services on behalf of a child under the age of eighteen not attending school on a regular basis.
- Absence from school for family vacations is strongly discouraged. We ask parents to understand that a trade-off is made by making a decision to use school time for vacations. Teachers will not provide homework prior to family vacations. It is the students’ responsibility to make arrangements with the teacher to make up work. Students who have taken a vacation during school time will have the opportunity to make up any missed homework or tests within one week of their return. Parents should notify teachers and the office in writing if a student will miss school.
- Absence from school (excused or otherwise) excludes the student from participation in any Winthrop Public School activity for the remainder of that calendar day.
- Parent or guardian must call the school no later than 9:00AM on the date of absence to confirm student absence from school. Student name and reason for absence must be given.
- Students must attend every assigned period on each individual student’s schedule

### **Excused Absences**

- All documentation for excused absences must be submitted to the Main Office upon return to school.
- A student who is absent for a medical reason will have the absences excused.
- A physician’s note from the doctor or the doctor’s office describing the illness and noting the dates absent from school as a result of the illness is required.
- A student who is absent for chronic illness may have those absences excused if a doctor’s statement is on file with the school.
- Students shall have an absence excused and shall be excused from any school activity if the absence is for the purpose of observing a religious holiday consistent with his/her creed or belief.
- Absences due to school-sponsored activities shall be excused.

### **Beverages**

The only beverage allowed in the classroom is a clear water bottle.

### **Bicycles/Scooters/Skateboards**

The school does not accept the responsibility of protecting students' bikes while students are at school. It is the responsibility of students to lock their bikes securely to the bike rack. Bikes must not block the handicapped access ramp. Bikes Scooters/Skateboards may not be stored inside the school. Bikes Scooters/Skateboards are to be walked at all times on school property and at crosswalks. The use of helmets is encouraged.

### **Books**

Students are responsible for all book damage, and the replacement of lost books. Students are required to cover all books and are responsible for the cost of repair/replacement.

### **Book Bags & Backpacks**

Book bags and backpacks will be left in student's locker or assigned area. Students may not carry any type of book bags or string bags during the day.

### **Breakfast**

Breakfast will be served beginning at 8:00am. The meal will usually consist of a warm item, cold cereal, milk, and juice. It is the student's responsibility not to be late for homeroom attendance. school behavior is expected.

### **Building Hours**

Building is open at 8:00am. Parents and/or students may not enter the building after 3:30 p.m. to retrieve books/belongings.

### **Bullying Prevention Policy**

In order to address the damaging effects of bullying on children, which can leave permanent scars on the confidence and self-esteem of a child as well as meet the mandates of Chapter 92 of the Acts of 2010, "An Act Relative to Bullying in Schools" (§ 2323), Winthrop Public Schools has developed a district wide Anti-Bullying Policy and Procedures with protocols for recognizing and reporting bullying as well as a Bullying Prevention Action Plan. Please refer to the comprehensive Bullying Policy and procedures outlined in the appendix of this document and on the Winthrop Public Schools district website.

### **Cell Phones**

Students shall keep their cell phones in their lockers. Students will not be able to carry their cell phones with them during the school day.

### **ChromeBooks**

Students will have access to Chromebooks in all of their classes. It is understood that students will use the devices for school purposes only. Students will be financially responsible if they vandalize or damage the chromebooks due to improper use.

### **Class Attendance**

Attendance by students for every assigned period is required. To be absent from a class without administrative/staff approval is a "cut". The corrective action for cut classes will be detention for first offense and possible suspension for subsequent offenses.

### **Communication with Teachers**

Parents are encouraged to contact classroom teachers regarding their child's educational program with concerns or questions. Under no circumstances may a teacher be disturbed while he or she

is with a class. Therefore, parents should write a note or an e-mail or call for an appointment rather than just coming to school. Parents must utilize the sign-in log located in the office and also obtain a visitor's pass when visiting school at times other than Parent-Teacher Conferences.

### **Conferences**

There will be times set-aside during the afternoon and evening to meet individually with parents. Teachers meet as a team several times every week. Parents are encouraged to communicate with teachers throughout the school year by asking for a return telephone call or, when necessary, requesting an additional conference. We believe that frequent and open communication between school and home is of major importance in helping a child make the most of educational opportunities offered in school. If something major is happening at home which may affect school performance, parents should communicate with the classroom teacher and/or principal.

### **Detention Policy**

The easiest thing for students to do in order to avoid detention is to follow school rules and regulations/expectations. However, if detention is assigned, then it must be served without exception. There are two (2) types of detention:

1. **Teacher Detention:** Is assigned by the classroom/subject teacher for violation(s) of classroom/teacher expectations and/or for schoolwork that has not been completed. It is served in the classrooms and takes precedence over administrative detention, which will be rescheduled.

Classroom teachers will assign a classroom detention. Detention will be served on the same day contingent upon parent approval. It is the student's responsibility to notify the parent(s)/guardian and the student may use the office phone for this purpose. If a teacher detention causes a problem (e.g. doctor's appointment), parents should contact the teacher for the student to stay the next day.

2. **Administrative Detention:** is assigned only by an administrator usually after the teacher has attempted to resolve the situation and has requested administrative intervention. Administrative detention is also assigned for out of class violation(s).

Administrators assign administrative detention and, with parent permission, may require the administrative detention to be served the same day. Administrators and/or students will notify parents of detentions.

### **Detention Room**

Students assigned to administrative detention are to report promptly to room 351 or other designated room. Detention runs from 3:00-3:30 or 3:45pm depending on behavior and consequence. Any reason for not attending detention must be approved by an administrator *prior* to the appointed time. Each student is required to bring necessary materials and assignments to keep him/her busy during this time. Students excluded from detention by the detention supervisor will be dealt with by an administrator.

### **Disciplinary Due Process**

In administering discipline, school officials will be careful to observe the right to due process under the law for each student. The nature of the violation determines the due process that school

officials follow. A comprehensive Disciplinary Due Process Policy and procedures are outlined in the appendix of this document and on the Winthrop Public Schools district website.

### **Discriminatory, Sexual Harassment and Misconduct & Complaint/Grievance Procedure**

The Winthrop Public Schools is committed to maintaining a school environment free of any harassment based on, but not limited to, race, color, national origin, sex, disability, age, genetics, ancestry, sexual orientation, gender identity/expression, criminal record, or active military status. Such harassment in the workplace or school environment is unlawful and is absolutely prohibited. This includes harassment by administrators, certified and support personnel, students, vendors, and other individuals in school or at school-related events. Further, any retaliation against an individual who has complained about harassment or against individuals for cooperating with an investigation of a harassment complaint is similarly unlawful and will not be tolerated. A comprehensive Discriminatory, Sexual Harassment and Misconduct & Complaint/Grievance Procedure are outlined in the appendix of this document and on the Winthrop Public Schools district website.

### **Dismissal**

To be dismissed from school, a note signed by a parent/guardian, stating the specific reason for dismissal, must be brought in. Please include a phone number where the Administration may reach your parent. **Parents/guardians must come into the main office to pick up their child for dismissal.** Students will not be dismissed by a phone call except in an extreme emergency. Students who leave early due to illness must be dismissed through the School Nurse or the Administration. Students are not allowed to walk to a dentist or doctor's appointment once they arrive at school. A student must be dismissed to a parent or authorized adult listed on emergency card. Anyone picking up a student must show a driver's license or some other form of identification prior to the school releasing the student.

### **Dress**

Students are expected to dress appropriately for a professional learning environment. Clothing which displays alcohol, drugs, tobacco, violence, nudity, and/or has a sexual connotation; as well as clothing on which improper language or pictures is printed will not be permitted. It is recommended that tank tops and sleeveless shirts have a strap width of three fingers. Length of shorts/skirts should reach at least the palm of the hand. Flannel loungewear is not acceptable attire. Sheer material, bathing trunks, halter tops, tops that expose the midriff area or pajamas will not be permitted. Footwear should be appropriate. Outdoor clothing will not be permitted during the usual course of the school day, except when coming or going out of the building. For safety reasons, student's eyes cannot be obscured by hair, sunglasses, or other objects. It is inappropriate to wear hats, hoods, bandannas, or other head coverings indoors, except for medical or religious reasons. Any accessories, devices, or objects which may cause or inflict bodily harm (Examples: jewelry which could be used as a weapon such as chains, spike jewelry, neck chains, wallet chains, and gloves will not be permitted. If a student wears attire that does not comply with the recommended dress code, the student will be given a dress code slip and referred to the main office. At that point, an administrator or guidance counselor will make the final determination and assist the student in getting clothes from home to change into or wear a school based replacement item, if available. If the clothing is deemed acceptable, the dress code slip will be signed and the student will promptly return to class. The dress code applies to all extracurricular activities.



**Elevator**

Our school is equipped with an elevator. Students who are injured or have a handicap are permitted to use the elevator accompanied by another student. When a student needs the elevator, he or she should have the permission of the school nurse or office. Absolutely no fooling around or abuse of the elevator will be tolerated. If this occurs, you may lose the privilege.

**Field Trips**

Field trips are a privilege, and as such, inappropriate or irresponsible behavior, either in school or while on the trip, may result in this privilege being taken away. Students who go on field trips are representatives of the Winthrop Middle School, the Town of Winthrop, and their parents/guardians. They are expected to behave in an appropriate manner. Students who accumulate 5 or more detentions or 1 or more suspensions may be excluded from attending field trips during that term. Final decisions will be subject to administrative review. Students not participating in field trips must attend school the day of the trip. All chaperones/volunteers will be subject to a Criminal Offender Records Investigation (CORI).

**Fire Drills**

For everyone's safety, fire drills are to be taken seriously. A fire route is posted in each homeroom. When the fire alarm sounds, students and staff will exit the building in a quiet and orderly manner and proceed to assigned spots.

**Food Allergy**

Peanut free table will be available in the cafeteria for students who have a nut allergy.

**Gifts and Gratuities**

The state's conflict of interest law, G.L.c.268A, and the financial disclosure law, G.L.c.268B, restrict gifts and gratuities that public employees may receive. Depending on the amount and source of a gift, issues may be raised under G.L.c.268A, S3, S23 and G.L.c.268B, S6. Section 3(b) prohibits a public employee from requesting or receiving anything of substantial value which is given for or because of an official act or act within the public employee's official responsibility. G.L.c.268A does not define the terms gift and gratuity; instead, the law prohibits "anything of substantial value." Anything worth \$50 or more is considered to be "of substantial value" for purposes of the conflict of interest law.

**Hall Passes**

Every student is assigned to a particular classroom or supervised area each period of each school day. Students leaving any assigned area during class period must have an official pass from the assigned teacher. Any student without an official pass is considered unauthorized from class and will be subject to the penalties for cutting class.

**Hazing**

Hazing as described by Massachusetts General Law, Chapter 269, Sections 17, 18 and 19 is prohibited. Be it enacted by the Senate and the House of Representatives in General Court assembled, and by the authority of the same as follows: Chapter 269 of the General Laws is hereby amended by adding the following three sections:

Section 17: Whoever is a principal organizer or participant in the crime of hazing as defined herein shall be punished by a fine of not more than three thousand dollars or by imprisonment in the house of correction for not more than one (1) year, or by both such fine and imprisonment. The term

“hazing” as used in this section and in sections 18 and 19, shall mean any conduct or method of initiation into any student organization, whether on public or private property, which willfully or recklessly endangers the physical or mental health of any student or other person. Such conduct shall include whipping, beating, branding, forced calisthenics, exposure to the weather, forced consumption of any food, liquor, beverage, drug or other substance, or any other brutal treatment or forced physical activity which is likely to adversely affect their physical health or safety of any such student or other person, or which subjects such student or other person, to extreme mental stress, including extended deprivation of sleep or rest or extended isolation. Notwithstanding any other provisions of this section to the contrary, consent shall not be available as a defense to any prosecution under this action.

Section 18: Whoever knows that another person is the victim of hazing as defined in Section 17 and is at the scene of such crime shall, to the extent that such person can do so without danger of peril to himself or others, report such crime to an appropriate law enforcement official as soon as reasonably practical. A fine of not more than one thousand dollars shall punish whoever fails to report such crime.

Section 19: Each institution of secondary education and each public and private institution of post-secondary education shall issue to every student group, student team or student organization which is part of such institution or is recognized by the institution or permitted by the institution to use its name or facilities or is known by the institution to exist as an unaffiliated student group, student team or student organization, a copy of this section and sections seventeen and eighteen; provided, however, that an institution’s compliance with this section’s requirements that an institution issue copies of this section and sections seventeen and eighteen to unaffiliated student groups, teams or organizations shall not constitute evidence of the institution’s recognition or endorsement of said unaffiliated student groups, teams or organizations.

Each such group, team or organization shall distribute a copy of this section and sections seventeen and eighteen to reach of its members, plebes, pledges or applicants for membership. It shall be the duty of each such group, team or organization, acting through its designated officer, to deliver annually, to the institution an attested acknowledgment stating that such group, team or organization has received a copy of this section and said sections seventeen and eighteen, that each of its member, plebes, pledges, or applicants has received a copy of sections seventeen and eighteen, and that such group, team or organization understands and agrees to comply with the provisions of this section and sections seventeen and eighteen.

Each institution of secondary education and each public or private institution of post-secondary education shall, at least annually, before or at the start of enrollment, deliver to each person who enrolls as a full-time student in such institution a copy of this section and sections seventeen and eighteen.

Each institution of secondary education and each public or private institution of post-secondary education shall file, at least annually, a report with the regents of higher education and in the case of secondary institutions, the Board of Education, certifying that such institution has complied with its responsibility to inform student groups, teams or organizations and to notify each full time student enrolled by it of the provisions of this section and sections seventeen and eighteen and also certifying that said institution has adopted a disciplinary policy with regard to the organizers and participants of hazing, and that such policy has been set forth with appropriate emphasis in the student handbook or similar means of communicating the

institution's policies to its students. The Board of Regents and, in the case of secondary institutions, the Board of Education shall promulgate regulations governing the content and frequency of such reports, and shall forthwith report to the attorney general, any such institution which fails to make such report.

#### **THE HAZING TEST \***

The following questions are intended to help student leaders to think about issues of hazing when planning activities for their organizations.

1. Would you have any reservations describing the activity to your parents, a teacher, or a school administrator?
2. Would you object to the activity being photographed for the school newspaper or local TV news?
3. Is there a risk of injury or a question of safety?
4. Is this a team or group activity in which members are encouraged or expected to attend and where minors are consuming alcohol?
5. Will current members refuse to participate with the new members?
6. Does the activity risk emotional or physical abuse?

#### **Health Services**

There is a nurse in the building at all times during the school day. The focus of the health office of the Winthrop Middle School is on wellness. Students are encouraged to be in their classes learning, and the health office is devoted to help students in any way it can to meet that end. If it is necessary for a student to consult with the nurse during the course of the day, a pass is provided by the teacher allowing the student to go to the nurse.

Students may be dismissed from school for medical reasons only through the health office. Students will be dismissed to their parents or designated person on the student's emergency card.

Medication that must be taken during the course of the day may be dispensed only by the school nurse. Regulations around medications include: medications in a properly labeled container from the pharmacy, dated written orders from the physician (prescribed medications of a week or less do not require a written physician order, the pharmacy bottle will suffice), dated written permission from the parent, non-Aspirin may be given to students with written parent permission for treatment of headache, muscular/skeletal discomfort, menstrual cramps, and dental pain.

Students may carry inhalers with them that have been prescribed by their physician. It is important that the school nurse is made aware when a student is carrying his/her own inhaler. Parents of students with allergies will provide Epi-pens/Benadryl for use at school, preferably, one for the classroom and one for the office.

#### **Homework**

Students are assigned homework on most days. Please communicate with teachers/team as homework policies vary depending on the teacher and/or team.

- Students who have been absent should see individual teachers as soon as possible upon their return, to determine when and what missed work must be made up.
- Students will be excused from homework for religious or ethnic observances. However,

they will be responsible for making up any homework missed.

- Teachers are not required to provide homework prior to family vacations, and students who have taken a vacation during school time should be prepared to make up work when they return.
- Parents may request homework assignments be sent to the office after two (2) consecutive days of regular absence and the homework may be picked up in the office after 3:00p.m. and before 3:30p.m.
- Students who are suspended from school will not be supplied homework for the days they are out of school. Upon their return to school, they will have the opportunity to make up any missed quizzes or tests. It is the student's responsibility to make arrangements with the teacher to make-up work.

### **Homework Zone Policy Referral Grade 6 and 7**

If homework is not brought to class on the day it is due, or if the homework does not meet the required classroom standards, parents will receive a homework notification. It is then the student's responsibility to complete the assignment for the next school day. If the assignment is not completed the next school day, the student will remain after school that day to complete the assignment and the parent will be again notified. If missing homework becomes an issue, a parent-teacher conference will be scheduled.

1. During the class period that the homework is due, the classroom teacher will check the assignment for completeness. Students are expected to have their homework completed, by the due date, ready to turn into the classroom teacher at the beginning of class.
2. If a student does not have his/her homework completed to the teacher's satisfaction on the day that it is due, he/she may be required to stay after school in Homework Zone to complete the assignment. It is the student's responsibility to notify parents/guardians during the school day that he/she will be staying after school. If necessary, students are encouraged to call their parents in the Homework Zone classroom to arrange transportation.
3. On rare occasion, a student may leave homework in the locker by mistake. In these situations, a teacher may have the student go to the locker at that time to get the assignment. If this becomes a frequent offense however, a teacher may assign the student a D-Session after school.
4. A student must be in the Homework Zone room no later than 3:00p.m.
5. A referred student must stay after school in the Homework Zone room until the assignment(s) are completed satisfactorily and/or for a minimum of 30 minutes.
6. If a student fails to report to the Homework Zone room after school or fails to properly postpone the referral, and does not complete the assignments by Friday morning, that student will be assigned to a Saturday School.

7. When students enter the Homework Zone room, they are to sit down immediately and begin completing their missed assignment. If the student does not know the missing assignment, he/she should sit quietly until the staff member can assist.
8. At Homework Zone, students are expected to complete homework assignments to the classroom teacher's satisfaction. If students do not complete an assignment to a teacher's satisfaction, they will be required to stay after school the next school day to redo the assignment. If the assignments are not done by Friday morning, the student will be assigned to Saturday School.
9. Homework Zone is held each day after school, Monday through Thursday, excluding early-release days and the first Monday of each month.
10. Parents will be notified that day by the Guidance Counselor if their child attended Homework Zone. We do this as a communication tool to keep parents informed of the student's progress.
11. If a student begins to miss multiple assignments in a class or classes on a regular basis, or refuses to stay after school to complete assignments, a meeting will occur among the student, teacher, parent, and administration. Possible consequences for students who do not complete assignments on a regular basis include completing their assignments on Saturdays and/or not being allowed to participate in extra-curricular activities and/or field trips.
12. The teacher will decide how much the missed assignment will count toward the student's grade, in accordance with their class grading policy regarding assignments.
  - Students in Grades 6 and 7 who attend Homework Zone a *total of seven times* or more during a quarter (or *three times in the same subject*) will be ineligible for the school honor roll.

The goal of this program/policy is to ensure that all students complete their homework on a consistent basis which will lead to improved academic success.

### **Grade 8 (Homework Zone)**

Based on the data results from the piloted HWZ program from 2016-2018, HWZ was least effective for grade 8 students. Grade 8 students who are missing course work and/or homework by Friday morning will be referred to Saturday School to make up the work. Saturday School runs from 8:30-10:30 am. Students can enter the building using the main entrance on the middle school side.

### **Honor Roll Eligibility**

- High Honor: All A's in all subjects.
- Honor: All A's and B's in all subjects.
- Note: A student who receives a poor conduct comment in any subject does not qualify for the Honor Roll.

### **Internet Acceptable Use Policy**

The Winthrop Public Schools technology program recognizes the use of the Internet as a valuable research tool. Before using this tool, students need to understand how to use it in an acceptable manner.

- The primary use of the Internet is for educational purposes
- Being able to use the Internet is a privilege, and your teachers and principal are the decision makers when it comes to whether you use it. If your behavior on the Internet is not appropriate, you may be suspended from its use.
- All Winthrop Public Schools have a filter installed on the server to prevent students from entering inappropriate sites (obscene, child pornography, harmful to minors) however, this software is not foolproof. Take responsibility for your own actions. If you find yourself at an inappropriate web site, you must minimize the browser window and notify the teacher immediately. Do not download, copy or tell any other students the location of any inappropriate material you may happen to find.
- You may not copy material and say that you wrote it yourself. Remember if you didn't write it you must identify where you found it.
- Any damage to the computers, how they are set up, or files that belong to others, will result in the loss of your privilege to use the Internet, and perhaps the computers themselves.
- You may not give anyone your password. Don't let anyone use your computer account for Internet activity unless you are working with them.
- You may not go to chat rooms or use email

**The above are examples of inappropriate use. Since there can never be an all-inclusive list, we fully expect that students do only those things necessary to complete their assignment. If a student is in doubt about something they want to do, they must first ask a teacher. Violations of this agreement also subject the student to additional school discipline as determined by the principal.**

The Winthrop Public School System, along with the other organizations sponsoring this Internet link-up, will not be liable for the actions of anyone connecting to Internet through this hook-up. In addition, the Winthrop Public School System takes no responsibility for any information or materials that are transferred through Internet. Winthrop Public Schools makes no guarantee of reliability of the Internet connection, nor is it responsible for any loss or corruption of data while using this Internet connection. Winthrop Public Schools shall monitor use of the Internet and data stored in the machines to be sure that these rules are not being broken. Winthrop Public Schools can change these rules without immediate notice.

### **Lockers**

Each student is assigned a locker. Students should always secure their lockers to prevent theft/vandalism. Students are responsible for anything removed from their lockers. The school will not assume responsibility for anything lost or stolen from a locker. Students may not share

lockers and they must utilize only the locker they have been assigned. Students are allowed access to their lockers at prescribed times. At all other times, a student must have a pass from a teacher/staff to access his/her locker.

### **Lunch**

All students are required to report directly to the cafeteria during their lunch period. Students must remain inside the cafeteria until dismissed by a staff member. Students may either bring their own lunch or buy a lunch. **All food must be eaten in the cafeteria.** Good table manners and respect for others is expected. After eating, students are expected to dispose of any trash. Vending machines (if available) in the cafeteria are to be used before school, during lunch, and after school only.

### **Lunch Policy**

All students will purchase their lunch with their student identification number with prepaid account or cash.

### **Monthly Calendar**

The Monthly Calendar is updated on a regular basis with all events that will be taking place at the Winthrop Middle School. To access the Monthly Calendar, go to the web site at [www.wms.winthrop.k12.ma.us](http://www.wms.winthrop.k12.ma.us)

### **No School Announcement**

School closing announcements and delayed openings are given over major news/radio stations and the district all call system.

### **Out-Of-School-Suspension**

Students placed on out-of-school suspension will not be allowed to attend classes, participate in any school activities, or visit school grounds throughout the period of their suspension. If a student is found in school or on school property, their suspension time will be extended one (1) day for each act of trespassing.

### **Parent-Teacher Organization**

A very active Parent-Teacher Organization operates for parents of students in grades 6-8. Information about the Parent-Teacher Organization will be available at the beginning of the school year. Monthly meetings are held and are attended by interested parents, and administration. The goals of the PTO include improving communication and support for the student activities. The organization has been responsible for raising funds to allow our students and teachers to participate in a variety of programs.

### **Parent Volunteers**

All volunteers are required to complete and submit an application for a background check (CORI) before they can work in the school or chaperone a field trip. This must be done every year. This requirement is for the protection of our children.

### **Progress Reports**

Progress reports are issued halfway through each term. Parents and students are asked to review these reports and discuss ways to improve performance. For those students at risk academically, weekly progress reports may be provided following a parental conference with the student's

academic teachers and the guidance department.

### **Report Cards**

Report cards are issued four (4) times during the school year. If a student receives an incomplete on the report card due to illness or absence he/she will be given two weeks from the time the grades close to complete the missing work. Prolonged illnesses or extenuating circumstances will be taken into consideration.

### **Retention Policy**

1. A student who fails one or more of the following subjects (ELA or Math) will be required to attend and pass summer school for that subject. Parents will be responsible for the cost of summer school. If the student does not complete summer school, the student will not be promoted.
2. If a student fails three (3) or more subjects: English, Math, Science, Social Studies he/she may be retained. A parent/guardian may petition the principal to allow that student to attend summer school and be promoted. The principal retains the right to make the final decision in all cases.

### **Early Notification and Intervention:**

Immediately after the second term report card, if a student is in danger of failing one (1) or more subjects, a notification will be sent home. The notification will explain the retention policy. The parent has the opportunity to meet with the team to establish an academic plan to improve performance. At the review meeting, student progress will be discussed and an attempt will be made to identify the problem. Options for the student will be discussed which could include, but are not limited to, tutoring, counseling, and referral.

### **School ID's**

To ensure student safety, all students will be required to wear student identification cards. Students will be provided lanyards by the school so all students will wear their ID's around their neck. If a student loses their identification card there will be a replacement fee of \$5.00.

### **School Site Council**

An advisory group of school staff, parents, community representatives and administration that meets regularly during the school year to review school issues and matters. The School Council has been in operation since the passage of the Education Reform Act of 1993.

### **Search and Seizure**

The school administration retains control over lockers loaned to students, and regulates admission and parking of automobiles on school grounds. The administration therefore has the right and duty to inspect and search students' lockers and student and non-student automobiles, if the administration reasonably suspects, upon information received from law enforcement officials or other sources, that drugs, weapons, dangerous illegal or prohibited matter, or goods stolen from school or from members of the staff or student body, are likely to be found therein. The administration also has the right and duty to search a student's person if there is high degree



of suspicion that drugs, weapons, dangerous illegal or prohibited matter, or such stolen goods, are likely to be found on the student's person, in exercise of the school's duty to enforce school discipline and to protect the health and safety of the student and/or student body. The items of such search may be turned over to law enforcement officials for inspection or examination and may be the subject of criminal or juvenile court prosecution, or of school disciplinary proceedings. Drug sniffing dogs, Breathalyzer, and security cameras may be used if necessary by the principal or their designee.

### **Special Education**

Both our State and Federal governments have passed important legislation affecting students, parents, and schools. This legislation is designed to provide equal educational opportunities and to inform parents and students of their rights. Each Act of legislation is quite lengthy, so only brief summaries are included in this Handbook. Anyone wishing additional information may contact the Office of Pupil Personnel Services.

### **Student Schedules**

Each team has its' own individual schedule which will be shared with each student on the respective teams. Certain basic times during the school day other than the instructional times which you should be aware of are:

## Winthrop Middle School Daily Schedule

Core Classes = 55 min

Specials = 45 min

ICE Block = 43 min Lunch = 22 min

### 6<sup>th</sup> Grade

### 7<sup>th</sup> Grade

### 8<sup>th</sup> Grade

8:30 - 8:35	Home Room		8:30 - 8:35	Home Room		8:30 - 8:35	Home Room
8:35 - 9:30	Core 1		8:35 - 9:20	Special 1		8:35 - 9:30	Core 1
9:30 - 10:25	Core 2		9:20 - 10:05	Special 2		9:30 - 10:25	Core 2
10:25 - 11:08	ICE Block		10:05 - 11:00	Core 1		10:25 - 11:10	Special 1
11:08 - 11:30	Lunch		11:00 - 11:55	Core 2		11:10 - 11:55	Special 2
11:30 - 12:25	Core 3		11:55 - 12:00	Locker Break		11:55 - 12:38	ICE Block
12:25 - 1:20	Core 4		12:00 - 12:22	Lunch		12:38 - 1:00	Lunch
1:20 - 2:05	Special 1		12:22 - 1:17	Core 3		1:00 - 1:05	Locker Break
2:05 - 2:50	Special 2		1:17 - 2:12	Core 4		1:05 - 2:00	Core 3
2:50 - 2:55	Home Room		2:12 - 2:55	ICE Block		2:00 - 2:55	Core 4

### Specialists:

		5 min
8:35 - 9:20	Class 1	45 min
9:20 - 10:05	Class 2	45 min
	Prep	20 min
10:25 - 11:10	Class 3	45 min
11:10 - 11:55	Class 4	45 min
	Lunch/Prep	85 min
1:20 - 2:05	Class 5	45 min
2:05 - 2:50	Class 6	45 min
		5 min

### Lunches:

11:08 - 11:30	Grade 6	22 min
12:00 - 12:22	Grade 7	22 min
12:38 - 1:00	Grade 8	22 min

### ICE Block:

10:25 - 11:08	Grade 6	43 min
11:55 - 12:38	Grade 8	43 min
2:12 - 2:55	Grade 7	43 min

Breakfast	8:00-8:25 a.m.
Enter School (Report to Cafeteria)	8:00 a.m.
1st Late Warning Bell	8:25 a.m.
2nd Late Warning Bell	8:28 a.m.
Late Bell	8:30 a.m.

### **Study Habits**

Students should record all homework assignments in their assignment/agenda books. Students should set aside a time to study and complete homework each night in a quiet spot away from the television, stereo and radio. Students are encouraged to place their homework in a folder in their binder notebook immediately after finishing it.

### **Tardiness**

A student is considered tardy if s/he is not in his/her homeroom before the 8:30 a.m. late bell. Students are allowed four unexcused tardies per quarter. A tardy will be excused with medical documentation (note from doctor, dentist, or hospital). Exceptions may be made for extenuating circumstances. An automated phone call will be made if your child was late any school day. Any child late to school must serve a detention after school on the day they were late from 3:00-3:30. Also, on the 5th tardy of the quarter a Saturday detention will be assigned. After 10 late arrivals to school, a parent teacher conference will be held. Any student with 10 or more late arrivals, will miss the next schoolwide event. Any student arriving late to after 9:00 am will require a parent to come into the middle school to sign-in their student.

### **Teams**

You, your classmates, and teachers make up a team. Your team will participate in activities during the school year that are decided upon by the team.

### **Telephone**

Due to the number of students in the school, students **cannot** be called to the telephone during the day. In an **emergency**, the office will deliver a message to the student. Because of the academic expectations which students experience daily, we request that parents limit calls to emergencies. Students are responsible for bringing all necessary items to school each day. Regarding matters of school business, such as remaining after school, students are allowed to use the school telephone. The office telephone may not be used to make after school plans. Students should make such arrangements ahead of time.

### **Theft Policy**

All personal items not used for the classroom activities should remain in a student's locker. It is the responsibility of every student at the Middle School to not share their locker combination with any students. If a theft occurs, it should be reported immediately to the Administration. The Administration will make every effort to recover what has been stolen through an internal investigation. After the internal investigation, parents will be notified. At that time, parents will be informed that they may contact the Police to report the theft if they so desire.

### **Time after School**

Teachers can keep students after school who need to complete schoolwork or who misbehave in class. Students who fail to report after school are subject to further disciplinary action that may range from warning to suspension.

### **Tobacco and E-Cigarettes**

Students are prohibited from possessing or using any type of tobacco product, electronic cigarettes (e-cigarettes), or any other electronic vaporizing device, while on school property at any time or while attending an off campus school-related activity. The district and its staff strictly enforce prohibitions against the use of all tobacco products, e-cigarettes or any other electronic vaporizing device including oils, by students and all others on

school property and at school-sponsored and school-related activities.

**Visitors**

Visitors must enter the building through the Middle School front door on Payson Street adjacent to the main office. To assist in maintaining the safety of the students and staff of the Winthrop Middle School, each visitor must check-in with the main office staff, sign the visitor logbook and wear an identification badge. Parents and students should not be in classrooms if teacher is not present.

**Yearbook**

Winthrop Middle School may publish a yearbook of candid and student photographs. Purchase of the yearbook is optional.

## **APPENDIX**

I.	WPS Bullying Prevention Policy	Page 30
II.	Disciplinary Due Process	Page 40
III.	Discriminatory, Sexual Harassment and Misconduct & Complaint/Grievance Procedure	Page 49
IV.	Parent Sign-Off Form	Page 60

\*The Appendix can be found on our school website at  
<https://www.winthrop.k12.ma.us/Domain/287>

## Bullying

### **I. RATIONALE and EXPECTATIONS**

The Winthrop Public Schools is committed to keeping our schools a safe and caring place for all students. We expect students to conduct themselves in keeping with their levels of development, maturity and demonstrated capabilities with an appropriate regard for the rights and welfare of other students and school staff, and the educational purpose underlying all school activities. All students deserve the opportunity to work and learn in an environment of mutual respect. In order to create and maintain such an environment, students must treat each other with courtesy, consideration and an appreciation of the rich diversity in our schools.

Bullying creates an atmosphere of fear for all members of the school community. It can also create unnecessary and unwarranted anxiety that affects the ability of a student to attend school, learn in school, feel safe in all areas in the school building and grounds, participate in or attend special or extra-curricular activities or travel to and from school. Bullying behaviors that are not addressed can lead to devastating consequences for young people including depression, drops in school performance and attendance. The failure to address bullying behaviors also gives other students the message that it is permissible to engage in negative behaviors.

**Bullying of students occurring in schools is prohibited by law** and members of the Winthrop School community refuse to tolerate bullying in any form. Winthrop Public Schools also will not tolerate retaliation against persons who take action consistent with this policy including those who report bullying, who provide information during an investigation of bullying, or who is a witness to or has reliable information about bullying. Retaliation includes, but is not limited to any form of intimidation, reprisal or harassment in connection with filing a complaint or assisting with an investigation under this policy.

If it is determined that inappropriate conduct has occurred, Winthrop Public Schools will act promptly to eliminate the conduct and will impose corrective action as necessary. Corrective actions may range from requiring the perpetrator to work with school personnel on improved behavior, recommending the provision of counseling or other therapeutic services and/or disciplinary action where appropriate, up to and including suspension, expulsion and/or court involvement.

### **II. SCOPE: PROHIBITION AGAINST BULLYING AND RETALIATION**

Acts of bullying, which include cyberbullying, are prohibited:

- on school grounds and property immediately adjacent to school grounds
- at a school-sponsored or school-related activity, function, or program whether on or off school grounds
- at a school bus stop, on a school bus or other vehicle owned, leased, or used by a school district or school
- or through the use of technology or an electronic device owned, leased, or used by a school district or school, and

- at a location, activity, function, or program that is not school-related through the use of technology or an electronic device that is not owned, leased, or used by a school district or school, if the acts create a hostile environment at school for the target or witnesses, infringe on their rights at school, or materially and substantially disrupt the education process or the orderly operation of a school.

**Retaliation** against a person who reports bullying, provides information during an investigation of bullying, or witnesses or has reliable information about bullying is strictly prohibited.

### III. DEFINITIONS

**Bullying**, as defined in M.G.L. c. 71, § 37O, is the repeated use by one or more students or a member of a school staff of a written, verbal, or electronic expression or a physical act or gesture or any combination thereof, directed at a target that:

- i. causes physical or emotional harm to the target or damage to the target's property; places the target in reasonable fear of harm to himself or herself or of damage to his or her property;
- ii. creates a hostile environment at school for the target;
- iii. infringes on the rights of the target at school; or materially and substantially disrupts the education process or the orderly operation of a school.

Bullying is characterized by an imbalance of physical, psychological or emotional power. Bullying may include but is not limited to: acts of intimidation such as taunting, name calling, verbal and non-verbal conduct that a reasonable person would find intimidating, humiliating and offensive, social isolation such as shunning/spreading rumors or false accusations; physically aggressive behaviors including interfering with the movement of another, stealing or damaging property. Bullying shall include cyber-bullying.

**Aggressor** is a student or a member of a school staff who engages in bullying, cyberbullying, or retaliation towards a student.

**Target** is a student against whom bullying, cyberbullying, or retaliation has been perpetrated.

**Bystander**: person(s) who is witness to a bullying event.

**Criminal harassment**: "Willful and malicious engagement in a pattern of conduct or series of acts over a period of time directed at a specific person, which seriously alarms that person and would cause a reasonable person to suffer substantial emotional distress" (General Law Ch. 265). Conduct includes but is not limited to electronic communications.

**Criminal stalking**: "Willfully and maliciously engaging in a knowing pattern of conduct or series of acts over a period of time directed at a specific person which seriously alarms or annoys that person and would cause a reasonable person to suffer substantial emotional distress and makes a threat with the intent to place the person in imminent fear of death or bodily injury" (General Law Ch. 265). Conduct includes but is not limited to electronic communications.

**Cyber-bullying:** Bullying through the use of technology or any electronic communication which includes but is not limited to telephone calls, voice mails, instant messages, text messages, camera/video phones, 3 and 4 way conversations, profiles, secret taping of conversations, internet or facsimile communications, creation of a web page or blog in which the creator assumes the identity of another person, the knowing impersonation of another person as the author of posted content or messages if the creation or impersonation creates any of the conditions contained in the definition of bullying. Cyber-bullying also includes the electronic distribution of a communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons if the distribution or posting creates conditions contained within the definition of bullying.

**Hostile Environment:** A situation in which bullying causes the school environment to be permeated with intimidation, ridicule or insult that is sufficiently severe or pervasive to alter conditions of the student's education. Prohibited conduct including bullying, which involves unwelcome and offensive behaviors and commentary related to an individual status in a protected class, including but not limited to race, age, religion, national origin, ancestry, color, genetics, military status, gender, sexual orientation/identity, and/or disability may also violate the School's Discriminatory and Sexual Harassment Policy.

**Retaliation:** Bullying directed against a person who reports bullying, provides information during an investigation of bullying, is a witness or has reliable information about bullying.

**Confidentiality:** Reports of bullying and retaliation shall be handled with the highest level of sensitivity by School Personnel. To the extent practicable, reports of bullying and retaliation will be kept confidential involving as few people as possible with the goal of protecting the target and stopping the behavior

#### **IV. Reporting bullying or retaliation.**

Reports of bullying or retaliation may be made by staff, students, parents or guardians, or others, and may be oral or written. Oral reports made by or to a staff member shall be recorded in writing. A school or district staff member is required to report immediately to the principal or designee or to the superintendent or designee when the principal or assistant principal is the alleged aggressor or to the school committee or designee when the superintendent is the alleged aggressor, any instance of bullying or retaliation the staff member becomes aware of or witnesses. Reports made by students, parents or guardians, or other individuals who are not school or district staff members, may be made anonymously. The school or district will make a variety of reporting resources available to the school community including, but not limited to, an Incident Reporting Form,<sup>1</sup> a voicemail box, a dedicated mailing address, and an email address.

**Use of an Incident Reporting Form is not required as a condition of making a report.** The Winthrop Public Schools shall:

- include a copy of the Incident Reporting Form in the beginning of the year packets for students and parents or guardians;



- make it available in the school's main office, the counseling office, the school nurse's office, and other locations determined by the principal or designee; and
- post it on the school's website.

The Incident Reporting Form will be made available in the most prevalent language(s) of origin of students and parents or guardians.

At the beginning of each school year, the school or district will provide the school community, including, but not limited to, educators, administrators, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to extracurricular activities, paraprofessionals, students, and parents or guardians, with written notice of its policies for reporting acts of bullying and retaliation, including a description of the reporting procedures and resources, the name(s) and contact information of the Superintendent, and complaint managers for each School within the District, and the superintendent or designee when the principal or the assistant principal is the alleged aggressor. All information will be incorporated in student and staff handbooks, on the school or district website, and in information about the Plan that is made available to parents or guardians.

### **Reporting by Staff**

A staff member will report immediately to the principal or designee, or to the superintendent or designee when the principal or the assistant principal is the alleged aggressor, or to the school committee or designee when the superintendent is the alleged aggressor when he/she witnesses or becomes aware of conduct that may be bullying or retaliation. The requirement to report as provided does not limit the authority of the staff member to respond to behavioral or disciplinary incidents consistent with school or district policies and procedures for behavior management and discipline.

### **Reporting by Students, Parents or Guardians, and Others**

The District expects students, parents or guardians, and others who witness or become aware of an instance of bullying or retaliation involving a student to report it to the principal or designee, or superintendent or designee when the principal or assistant principal is the alleged aggressor. Reports may be made anonymously, but no disciplinary action will be taken against an alleged aggressor solely on the basis of an anonymous report. Students, parents or guardians, and others may request assistance from a staff member to complete a written report. Students will be provided practical, safe, private, and age-appropriate ways to report and discuss an incident of bullying with a staff member, or with the principal or designee, or superintendent or designee when the principal or assistant principal is the alleged aggressor.

## **V. Responding to a report of bullying or retaliation – Allegations of Bullying by a Student.**

### **Safety**

Before fully investigating the allegations of bullying or retaliation, the Superintendent or designee will take steps to assess the need to restore a sense of safety to the alleged target and/or to protect the alleged target from possible further incidents. Responses to promote safety may include, but not be limited to, creating a personal safety plan; pre-determining

seating arrangements for the target and/or the aggressor in the classroom, at lunch, or on the bus; identifying a staff member who will act as a “safe person” for the target; and altering the aggressor’s schedule and access to the target. The Superintendent or designee will take additional steps to promote safety during the course of and after the investigation, as necessary.

The Superintendent or designee will implement appropriate strategies for protecting from bullying or retaliation a student who has reported bullying or retaliation, a student who has witnessed bullying or retaliation, a student who provides information during an investigation, or a student who has reliable information about a reported act of bullying or retaliation.

### **Obligations to Notify Others**

- a. Notice to parents or guardians. Upon determining that bullying or retaliation has occurred, the principal or designee will promptly notify the parents or guardians of the target and the student aggressor of this, and of the procedures for responding to it. There may be circumstances in which the principal or designee contacts parents or guardians prior to any investigation. Notice will be consistent with state regulations at 603 CMR 49.00.
- b. Notice to Another School or District. If the reported incident involves students from more than one school district, charter school, non-public school, approved private special education day or residential school, or collaborative school, the principal or designee first informed of the incident will promptly notify by telephone the principal or designee of the other school(s) of the incident so that each school may take appropriate action. All communications will be in accordance with state and federal privacy laws and regulations, and 603 CMR 49.00.
- c. Notice to Law Enforcement. At any point after receiving a report of bullying or retaliation, including after an investigation, if the principal or designee has a reasonable basis to believe that criminal charges may be pursued against the aggressor, the principal will notify the local law enforcement agency. Notice will be consistent with the requirements of 603 CMR 49.00 and locally established agreements with the local law enforcement agency. Also, if an incident occurs on school grounds and involves a former student under the age of 21 who is no longer enrolled in school, the principal or designee shall contact the local law enforcement agency if he or she has a reasonable basis to believe that criminal charges may be pursued against the student aggressor.

In making this determination, the principal will, consistent with the Plan and with applicable school or district policies and procedures, consult with the school resource officer, if any, and other individuals the principal or designee deems appropriate.

**Investigation.** The Superintendent or designee will investigate promptly all reports of bullying or retaliation and, in doing so, will consider all available information known, including the nature of the allegation(s) and the ages of the students involved. Investigations will be conducted promptly, and in most circumstances, no later than 24-48 hours after an initial complaint.

Depending upon the extent and nature of the complaint, the District shall make every attempt to conclude the investigation within 30 days of the initial complaint.

During the investigation, the principal or designee will, among other things, interview students, staff, witnesses, parents or guardians, and others as necessary. The principal or designee (or whoever is conducting the investigation) will remind the alleged student aggressor, target, and witnesses of the importance of the investigation, their obligation to be truthful and that retaliation against someone who reports bullying or provides information during a bullying investigation is strictly prohibited and will result in disciplinary action.

Interviews may be conducted by the principal or designee, other staff members as determined by the principal or designee, and in consultation with the school counselor, as appropriate. To the extent practicable, and given his/her obligation to investigate and address the matter, the principal or designee will maintain confidentiality during the investigative process. The principal or designee will maintain a written record of the investigation.

**Determinations.** The Superintendent or designee will make a determination based upon all the facts and circumstances. If, after investigation, bullying or retaliation is substantiated, the principal or designee will take steps reasonably calculated to prevent recurrence and to ensure that the target is not restricted in participating in school or in benefiting from school activities. The principal or designee will: 1) determine what remedial action is required, if any, and 2) determine what responsive actions and/or disciplinary action is necessary.

Depending upon the circumstances, the Superintendent or designee may choose to consult with the students' teacher(s) and/or school counselor, and the target's or student aggressor's parents or guardians, to identify any underlying social or emotional issue(s) that may have contributed to the bullying behavior and to assess the level of need for additional social skills development.

The Superintendent or designee will promptly notify the parents or guardians of the target and the aggressor about the results of the investigation and, if bullying or retaliation is found, what action is being taken to prevent further acts of bullying or retaliation. The principal or designee shall inform the parent or guardian of the target about the Department of Elementary and Secondary Education's problem resolution system and the process for accessing that system, regardless of the outcome of the bullying determination.

## **VI. ACCESS TO RESOURCES AND SERVICES**

The Winthrop Public Schools is committed to ensuring all students, staff and personnel involved in incidents of bullying and retaliation receive comprehensive services, referrals and supports. This includes services for targets, student aggressors, and their families. In coordination with parents, school personnel, and targets of bullying and retaliation, the School shall promptly identify and refer impacted individuals to available resources including but not limited to:

- a. Counseling and other services. Culturally and linguistically appropriate resources within the school and district including linkages with community based organizations, including Community Service Agencies (CSAs) for Medicaid eligible students. In addition, the Plan should identify staff and service providers who assist schools in developing safety plans for students who have been targets of bullying or retaliation, providing social skills

programs to prevent bullying, and offering education and/or intervention services for students exhibiting bullying behaviors. Schools may consider current tools including, but not limited to, behavioral intervention plans, social skills groups, and individually focused curricula.

- b. Students with disabilities. As required by M.G.L. c. 71B, § 3, as amended by Chapter 92 of the Acts of 2010, when the IEP Team determines the student has a disability that affects social skills development or the student may participate in or is vulnerable to bullying, harassment, or teasing because of his/her disability, the Team will consider what should be included in the IEP to develop the student's skills and proficiencies to avoid and respond to bullying, harassment, or teasing.
- c. Referral to outside services. Schools and districts should establish a referral protocol for referring students and families to outside services. Clear protocols will help students and families access appropriate and timely services. Referrals must comply with relevant laws and policies. Current local referral protocols should be evaluated to assess their relevance to the Plan, and revised as needed.

## **VII. TRAINING and EDUCATION**

The Winthrop Public Schools will endeavor to provide age appropriate instruction/curriculum on bullying prevention in each level.

The Winthrop Public Schools will develop and update a bullying prevention and intervention plan in consultation with teachers, school staff, professional support personnel, school volunteers, administrators, community representatives, behavioral health specialists, local law enforcement agencies, students, parents and guardians. The consultation will include a public comment period. The bullying prevention and intervention plan will be updated biennially.

The bullying prevention and intervention plan shall include:

- Definitions and examples of bullying, cyber-bullying and retaliation including the similarities and differences between bullying and discriminatory/sexual harassment, and sexual violence
- Establish clear procedures for students, staff, parents, guardians, and others to report incidents of bullying or retaliation
- Include a provision that reports of bullying or retaliation may be made anonymously, provided that no disciplinary action shall be taken against a student solely on the basis of an anonymous report
- Establish clear procedures for promptly responding to and investigating reports of bullying or retaliation
- Identify the range of disciplinary actions that may be taken against a perpetrator for bullying or retaliation

- Establish clear procedures for restoring a sense of safety for a victim and assessing that student's needs for protection
- Establish strategies for protecting from bullying or retaliation a person who reports bullying, provides information during an investigation of bullying, or is witness to or has reliable information about an act of bullying
- Establish procedures consistent with state and federal law for promptly notifying the parents or guardians of a victim and a perpetrator, provided that the parents or guardians of a victim shall also be notified of the action taken to prevent any further acts of bullying; and provided further that said procedures must provide for immediate notification to the local law enforcement agency where criminal charges may be pursued against the perpetrator
- Include a provision that a student who knowingly makes a false accusation of bullying shall be subject to disciplinary action; and
- Include a strategy for providing counseling or referral to appropriate services for perpetrators and victims and for appropriate family members of said students.

The bullying prevention and intervention plan will afford all students the same protection regardless of their status under the law.

**Professional Development:** The bullying prevention and intervention plan will include ongoing professional development to build the skills of all members of school staff to prevent, identify and respond to bullying. The content of such professional development will include, but not be limited to:

- Developmentally appropriate strategies to prevent bullying incidents
- Developmentally appropriate strategies for immediate, effective interventions to stop bullying incidents
- Information regarding the complex interaction and power differential that can take place between and among the bully, the target, and any witnesses to the bullying
- Research findings on bullying
- Information on the incidence and nature of bullying
- Internet safety issues as they relate to cyber-bullying;

The bullying prevention and intervention plan will include provisions for educating parents and guardians about the bullying prevention curriculum of the Winthrop Public Schools, how they can reinforce said curriculum at home, how they can support the Winthrop Public Schools' prevention and intervention plan, the dynamics of bullying, and online safety and cyber-bullying.

All staff, in collaboration with parents, students and community members will integrate

strategies for student recognition through positive reinforcement for good conduct, self-discipline, good citizenship, and academic success.

Whenever the evaluation of the Individualized Education Program team indicates that the child has a disability that affects social skills development or that the child is vulnerable to bullying, harassment or teasing because of the child's disability, the Individualized Education Program shall address the skills and proficiencies needed to avoid and respond to bullying, harassment or teasing

## **VIII. NOTICE**

The Winthrop Public Schools will provide to students and their parents or guardians, in age appropriate terms and in the most prevalent languages of the students, parents or guardians, annual written notice of the relevant sections of the bullying prevention and intervention policy.

The Winthrop Public Schools will provide to all school staff annual written notice of the bullying prevention and intervention policy. The faculty and staff at each school shall be trained annually on the bullying prevention and intervention plan.

Relevant sections of the bullying prevention and intervention plan shall be included in any Winthrop Public Schools employee handbook.

The bullying prevention and intervention plan shall be posted on the Winthrop Public Schools website

**WINTHROP PUBLIC SCHOOLS  
COMPLAINT/INCIDENT REPORT FORM**

Name of Complainant: \_\_\_\_\_

Complainant's School and Class/Job Title: \_\_\_\_\_

Address: \_\_\_\_\_

Email Address: \_\_\_\_\_ Phone Number(s): \_\_\_\_\_

Name(s) of Parent/Legal Guardian (if applicable): \_\_\_\_\_

Address: \_\_\_\_\_

Email Address: \_\_\_\_\_ Phone Number(s): \_\_\_\_\_

Nature or Complaint: This may include but is not limited to incidents of discriminatory and sexual harassment, retaliation, sexual misconduct/assault and bullying.

Dates of Alleged Incident(s): \_\_\_\_\_

Names of the person(s) you are reporting:

Please describe in detail the incidents of alleged misconduct; including where and when the incidents occurred. Please name any witnesses that may have information regarding the alleged misconduct. Attach additional pages if necessary.

Please describe any past incidents that may be related to this complaint. Attach additional page(s) if needed.

I certify that the information provided in this report is true, correct and complete to the best of my knowledge.

Signature of Complainant \_\_\_\_\_ Date \_\_\_\_\_

Complaint Received By: \_\_\_\_\_ Date \_\_\_\_\_

## **Disciplinary Due Process**

### **I. In-School Suspension.**

An in-school suspension is a removal of a student from regular classroom activities, but not from the school premises. The procedure for an in-school suspension of no more than (10) school days (consecutive or cumulatively for multiple infractions during the school year) will be as follows:

1. The administrator will inform the student of the disciplinary offense charged, the basis for the charge, and provide the student an opportunity to respond. If the administrator determines that the student committed the disciplinary offense, the administrator will inform the student of the length of the student's in-school suspension, which may not exceed 10 days, cumulatively or consecutively, in a school year.
2. On the same day as the in-school suspension decision, the administrator will make reasonable efforts to notify the parent orally of the disciplinary offense, the reasons for concluding that the student committed the infraction, and the length of the in-school suspension. The administrator will also invite the parent to a meeting to discuss the student's academic performance and behavior, strategies for student engagement, and possible responses to the behavior. Such meeting will be scheduled on the day of the suspension if possible, and if not, as soon thereafter as possible. If the administrator is unable to reach the parent after making and documenting at least (2) attempts to do so, such attempts will constitute reasonable efforts for purposes of orally informing the parent of the in-school suspension.
3. The administrator will send written notice to the student and parent about the in-school suspension, including the reason and the length of the in-school suspension, and inviting the parent to a meeting with the principal for the purpose set forth above, if such meeting has not already occurred. The administrator will deliver such notice on the day of the suspension by hand-delivery, certified mail, first-class mail, email to an address provided by the parent for school communications, or by other method of delivery agreed to by the administrator and the parent.

An in-school suspension of more than 10 cumulative days in a school year will be subject to the procedures for long-term suspension

The Principal may remove a student from privileges, such as extracurricular activities and attendance at school-sponsored events, based on the student's misconduct. Such a removal is not subject to such due process procedures.

### **II. Short Term, Out-of-School Suspension.**

Except in the case of an Emergency Removal (see below), prior to imposing a short term out-of-school suspension (10 days or less in a school year) for conduct not covered by M.G.L. c. 71, §37H and 37H ½, an administrator will provide the student and his/her parent oral and written notice and an opportunity to participate in an informal hearing.

**1. Notice:** The written notice to the student and the parent will be in English and in the primary language of the home if other than English, or other means of communication where appropriate and will include the following:



- a) the disciplinary offense;
- b) the basis for the charge;
- c) the potential consequences, including the potential length of the student's suspension;
- d) the opportunity for the student to have a hearing with the administrator concerning the proposed suspension, including the opportunity to dispute the charges and to present the student's explanation of the alleged incident, and for the parent to attend the hearing;
- e) the date, time, and location of the hearing;
- f) the right of the student and the student's parent to interpreter services at the hearing if needed to participate;

Written notice to the parent may be made by hand delivery, first-class mail, certified mail, email to an address provided by the parent for school communications, or any other method of delivery agreed to by the school and parent.

**2. Efforts to Involve Parent:** The administrator will make reasonable efforts to notify the parent of the opportunity to attend the hearing. To conduct a hearing without the parent present, the administrator must be able to document reasonable efforts to include the parent. The administrator is presumed to have made reasonable efforts if the administrator has sent written notice and has documented at least two (2) attempts to contact the parent in the manner specified by the parent for emergency notification.

**3. Format of Hearing:** The administrator will discuss the disciplinary offense, the basis for the charge, and any other pertinent information. The student also will have an opportunity to present information, including mitigating fact, that the administrator should consider in determining whether other remedies and consequences may be appropriate. The administrator will provide the parent, if present, an opportunity to discuss the student's conduct and offer information, including mitigating circumstances, that the administrator should consider in determining consequences for the student.

**4. Decision:** The administrator will provide written notice to the student and parent of his/her determination and the reasons for it, and, if the student is suspended, the type and duration of suspension and the opportunity to make up assignments and such other school work as needed to make academic progress during the period of removal. The notice of determination may be in the form of an update to the original written notice of hearing.

### **III. Long Term Suspension**

Except in the case of an Emergency Removal provided on page [ ], prior to imposing a long-term suspension (more than 10 days of suspension, whether in-school or out-of-school, whether consecutive or cumulative for multiple offenses during a school year), an administrator will follow the procedures for short-term suspension plus additional procedures as follows:

**1. Notice:** The notice will include all of the components for a short-term suspension in Section C above, plus the following:

- a) In advance of the hearing, the opportunity to review the student's record and the documents upon which the administrator may rely in making a determination to suspend the student or not;
- b) the right to be represented by counsel or a lay person of the student's choice, at the

- student's/parent's expense;
- c) the right to produce witnesses on his or her behalf and to present the student's explanation of the alleged incident, but the student may not be compelled to do so;
- d) the right to cross-examine witnesses presented by the school district;
- e) the right to request that the hearing be recorded by the administrator, and a copy of the audio recording provided to the student or parent upon request; and
- f) the right to appeal administrator's decision to impose long-term suspension to the superintendent.

**2. Format of Hearing:** The Hearing will afford the rights set forth in the notice above. The administrator will also provide the parent, if present, an opportunity to discuss the student's conduct and offer information, including mitigating circumstances, that the administrator should consider in determining consequences for the student.

**3. Decision:** Based on the evidence, the administrator will determine whether the student committed the disciplinary offense, and, if so, after considering mitigating circumstances and alternatives to long-term suspension, what remedy or consequence will be imposed, in place of or in addition to a long-term suspension. The administrator will send the written determination to the student and parent by hand-delivery, certified mail, first-class mail, email to an address provided by the parent for school communications, or any other method of delivery agreed to by the school and the parent. If the administrator decides to suspend the student on a long-term basis, the written determination will:

1. Identify the disciplinary offense, the date on which the hearing took place, and the participants at the hearing;
2. Set out the key facts and conclusions reached;
3. Identify the length and effective date of the suspension, as well as a date of return to school;
4. Include notice of the student's opportunity to receive education services to make academic progress during the period of removal from school (if more than 10 cumulative days);
5. Inform the student of the right to appeal the administrator's decision to the superintendent or designee. Notice of the right of appeal will be in English and the primary language of the home if other than English, or other means of communication where appropriate, and will include the following information stated in plain language:
  - a) the process for appealing the decision, including that the student or parent must file a written notice of appeal with the superintendent within five (5) calendar days of the effective date of the long-term suspension; provided that within the five (5) calendar days, the student or parent may request and receive from the superintendent an extension of time for filing the written notice for up to seven (7) additional calendar days; and that
  - b) the long-term suspension will remain in effect unless and until the superintendent decides to reverse the administrator's

determination on appeal.

No long-term suspension will extend beyond the end of the school year in which such suspension is imposed.

#### **IV. Exception for Emergency Removal**

Notwithstanding the provisions for short or long-term suspension set forth above, a student who is charged with a disciplinary offense may be removed temporarily from school if the continued presence of the student poses a danger to persons or property, or materially and substantially disrupts the order of the school, and, in the administrator's judgment, there is no alternative available to alleviate the danger or disruption.

The administrator will immediately notify the superintendent in writing of the removal and the reason for it, and describe the danger [or disruption] by the student.

The temporary removal will not exceed two (2) school days following the day of the emergency removal, during which time the administrator will provide the following, as applicable to the length of suspension:

- Make immediate and reasonable efforts to orally notify the student and the student's parent of the emergency removal, the reason for the need for emergency removal, and other applicable matters;
- Provide written notice to the student and parent as provided in Section C or D above, as applicable;
- Provide the student an opportunity for a hearing with the administrator, as applicable, and the parent an opportunity to attend the hearing, before the expiration of the two (2) school days, unless an extension of time for hearing is otherwise agreed to by the administrator, student, and parent.
- Render a decision orally on the same day as the hearing, and in writing no later than the following school day.

An administrator may not remove a student from school on an emergency basis for a disciplinary offense until adequate provisions have been made for the student's safety and transportation.

#### **V. Appeal to the Superintendent**

If a decision by an administrator, following the parent meeting, results in suspension of a student for more than 10 cumulative school days for the school year, the student may appeal the decision to the superintendent. In order to do so the student or parent must file a notice of appeal with the superintendent within five (5) calendar days with a seven (7) day postponement option. The superintendent must hold the hearing within three (3) school days of the student's request, unless the student or parent requests an extension of up to seven (7) additional calendar days. If the appeal is not filed within this time frame, the superintendent may deny the appeal, or may allow the appeal in his or her discretion, for good cause.

The following apply:

- The superintendent will make a good faith effort to include the parent in the hearing. The superintendent will be presumed to have made a good faith effort if he or she has made efforts to find a day and time for the hearing that would allow the parent and superintendent to participate. The superintendent will send written notice to the parent of the date, time, and location of the hearing.
- The superintendent will conduct a hearing to determine whether the student committed the disciplinary offense of which the student is accused, and if so, what the consequence will be. The superintendent will arrange for an audio recording of the hearing, a copy of which will be provided to the student or parent upon request. The superintendent will inform all participants before the hearing that an audio record will be made of the hearing and a copy will be provided to the student and parent upon request.
- The student will have all the rights afforded the student at the administrator's hearing for long-term suspension as described in Section D above.
- The superintendent will issue a written decision within five (5) calendar days of the hearing which meets the requirements for a long-term suspension as described in Section D above. If the superintendent determines that the student committed the disciplinary offense, the superintendent may impose the same or a lesser consequence than the administrator, but will not impose a suspension greater than that imposed by the administrator's decision.

The decision of the superintendent constitutes the final decision of the school district.

#### **VI. Suspension under MGL c. 71 s. 37H for Dangerous Weapons, Controlled Substances & Assaults on Educational Staff**

**Massachusetts General Laws Chapter 71, section 37H requires that all student handbooks contain the following provisions:**

(a) Any student who is found on school premises or at school-sponsored or school-related events, including athletic games, in possession of a dangerous weapon, including, but not limited to, a gun or a knife; or a controlled substance as defined in chapter ninety-four C, including, but not limited to, marijuana, cocaine, and heroin, may be subject to expulsion from the school or school district by the principal.

(b) Any student who assaults a principal, assistant principal, teacher, teacher's aide or other educational staff on school premises or at school-sponsored or school-related events, including athletic games, may be subject to expulsion from the school or school district by the principal.

(c) Any student who is charged with a violation of either paragraph (a) or (b) shall be notified in writing of an opportunity for a hearing; provided, however, that the student may have representation, along with the opportunity to present evidence and witnesses at said hearing before the principal.

After said hearing, a principal may, in his discretion, decide to suspend rather than expel a student who has been determined by the principal to have violated either paragraph (a) or (b).

(d) Any student who has been expelled from a school district pursuant to these provisions shall have the right to appeal to the superintendent. The expelled student shall have ten days from the date of the expulsion in which to notify the superintendent of his appeal. The student has the

right to counsel at a hearing before the superintendent. The subject matter of the appeal shall not be limited solely to a factual determination of whether the student has violated any provisions of this section.

(e) Any school district that suspends or expels a student under this section shall continue to provide educational services to the student during the period of suspension or expulsion under section 21 of chapter 76. If the student moves to another district during the period of suspension or expulsion, the new district of residence shall either admit the student to the school or provide educational services to the student in an education service plan, under section 21 of chapter 76. Students should note that the definition of “assault” includes not only harmful or offensive contact, but also threatening such contact.

Additionally, students should be aware that the federal Gun Free Schools Act mandates that any student who brings a firearm to school be expelled for a minimum of one year, with exceptions granted only by the Superintendent. Under this Act, a firearm includes not only a gun but also an explosive device.

## **VII. Suspensions under MGL c. 71 s. 37H ½ for Felony Complaints or Convictions**

**Massachusetts General Laws Chapter 71, section 37H 1/2 provides that:**

**Upon the issuance of a criminal complaint charging a student with a felony or upon the issuance of a felony delinquency complaint against a student, the principal or headmaster of a school in which the student is enrolled may suspend such student for a period of time determined appropriate by said principal or headmaster if said principal or headmaster determines that the student’s continued presence in school would have a substantial detrimental effect on the general welfare of the school. The student shall receive written notification of the charges and the reasons for such suspension prior to such suspension taking effect. The student shall also receive written notification of his right to appeal and the process for appealing such suspension; provided, however, that such suspension shall remain in effect prior to any appeal hearing conducted by the superintendent.**

The student shall have the right to appeal the suspension to the superintendent. The student shall notify the superintendent in writing of his request for an appeal no later than five calendar days following the effective date of the suspension. The superintendent shall hold a hearing with the student and the student’s parent or guardian within three calendar days of the student’s request for an appeal. At the hearing, the student shall have the right to present oral and written testimony on his behalf, and shall have the right to counsel. The superintendent shall have the authority to overturn or alter the decision of the principal or headmaster, including recommending an alternate educational program for the student. The superintendent shall render a decision on the appeal within five calendar days of the hearing. Such decision shall be the final decision of the city, town or regional school district with regard to the suspension.

Upon a student being convicted of a felony or upon an adjudication or admission in court of guilt with respect to such a felony or felony delinquency, the principal or headmaster of a school in which the student is enrolled may expel said student if such principal or headmaster determines that the student’s continued presence in school would have a substantial detrimental effect on the general welfare of the school. The student shall receive written notification of the charges and reasons for such expulsion prior to such expulsion taking effect. The student shall also receive written notification of his right to appeal and the process for appealing such expulsion; provided, however, that the expulsion shall remain in effect prior to any appeal hearing conducted by the superintendent.

The student shall have the right to appeal the expulsion to the superintendent. The student shall notify the superintendent, in writing, of his request for an appeal no later than five calendar days following the effective date of the expulsion. The superintendent shall hold a hearing with the student and the student's parent or guardian within three calendar days of the expulsion. At the hearing, the student shall have the right to present oral and written testimony on his behalf, and shall have the right to counsel. The superintendent shall have the authority to overturn or alter the decision of the principal or headmaster, including recommending an alternate educational program for the student. The superintendent shall render a decision on the appeal within five calendar days of the hearing. Such decision shall be the final decision of the city, town or regional school district with regard to the expulsion.

Any school district that suspends or expels a student under this section shall continue to provide educational services to the student during the period of suspension or expulsion under section 21 of chapter 76. If the student moves to another district during the period of suspension or expulsion, the new district of residence shall either admit the student to the school or provide educational services to the student in an education service plan, under section 21 of chapter 76.

## **VII. Procedures Applicable To Conduct Covered By M.G.L. C. 71, §37H And 37H ½**

When considering the exclusion of a student from school for possession of a dangerous weapon, possession of a controlled substance (such as marijuana, cocaine, or prescription drugs not authorized by the school nurse), or assault on teachers, an administrator may place a student on short term suspension (ten days or less) based upon an informal hearing, to be followed by a formal hearing before the Principal within that period of suspension to determine whether to take additional disciplinary action, up to and including expulsion from school.

1. The informal hearing will be in the form of a conference between the student and the principal or designee. At this conference, the student (1) shall be informed of the reason for the conference, (2) shall be given the opportunity to present his or her side of the story, and (3) shall be given a decision on the suspension. If the administrator deems delay of the hearing necessary to avoid danger or substantial disruption, this process may occur immediately after, rather than before, the suspension.

2. Prior to putting a suspension into effect, the principal or designee shall make a reasonable effort to telephone and inform the student's parent or guardian of the impending suspension; this shall include attempts to contact the parents or guardian at home and at work. Parents may contact the school for additional information regarding the suspension.

3. A letter will be mailed to the parent/guardian of the suspended student stating:

- a) The reason for the suspension
- b) A statement of the effective date and duration of the suspension
- c) A statement regarding whether or not the Principal will schedule a formal hearing to consider further discipline, up to and including expulsion from school in accordance with M.G.L. c. 71, §37H

When considering a suspension/expulsion of a student charged with/convicted of felony, the Principal will use the standards and procedures set forth in M.G.L. c.71, §37H1/2. In addition, prior to initiating such procedures, the Principal may meet informally with the student and/or his parents to review the charge and the applicable standards if the Principal deems appropriate

### **Education Services and Academic Progress under Sections 37H, 37H1/2, and 37H3/4**

1. Any student who is serving an in-school suspension, short-term suspension, long-term suspension, or expulsion shall have the opportunity to earn credits, as applicable, make up assignments, tests, papers, and other school work as needed to make academic progress during the period of his or her removal from the classroom or school. The principal/designee shall inform the student and parent of this opportunity in writing when such suspension or expulsion is imposed.
2. Any student who is expelled or suspended from school for more than ten (10) consecutive days, whether in school or out of school, shall have an opportunity to receive education services and make academic progress toward meeting state and local requirements, through the school-wide education service plan.
3. The principal/designee shall develop a school-wide education service plan describing the education services that the school district will make available to students who are expelled or suspended from school for more than ten (10) consecutive days. The plan shall include the process for notifying such students and their parents of the services and arranging such services. Education services shall be based on, and be provided in a manner consistent with, the academic standards and curriculum frameworks established for all students under G.L. c 69, §

#### **Notice of Education Services for Students in Long-Term Suspension and Expulsion; Enrollment Reporting.**

1. The principal/designee shall notify the parent and student of the opportunity to receive education services at the time the student is expelled or placed on long-term suspension. Notice shall be provided in English and in the primary language spoken in the student's home if other than English, or other means of communication where appropriate. The notice shall include a list of the specific education services that are available to the student and contact information for a school district staff member who can provide more detailed information.
2. For each student expelled or suspended from school for more than ten (10) consecutive days, whether in- school or out-of-school, the school district shall document the student's enrollment in education services. For data reporting purposes, the school shall track and report attendance, academic progress, and such other data as directed by the Department.

#### **Students with Disabilities:**

Students who have been identified as students with disabilities in accordance with the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act or who the school has reason to believe might be eligible for special education services are entitled to additional procedural protections when a disciplinary exclusion is considered. Prior to the imposition of any disciplinary sanction that would result in a change in placement; the student's

Team will meet to determine whether the student's conduct was a manifestation of the student's disability. If the Team determines that the conduct was a manifestation of the student's disability shall review any existing behavior plan or, if no such behavior plan exists, conduct a functional behavioral assessment. In many cases, a student with a disability will be entitled to services identified by the student's Team as necessary to provide the student with a free appropriate public education during periods of disciplinary exclusion exceeding ten (10) school days in a given year. For additional information regarding the rights of students with disabilities in the context of school discipline please contact the Winthrop Public Schools' Director of Pupil Personnel Services or the building principal/designee



## **Discriminatory, Sexual Harassment and Misconduct & Complaint/Grievance Procedure**

### **I. BACKGROUND OF POLICY**

The Winthrop Public Schools is committed to maintaining a school environment free of any harassment based on, but not limited to, race, color, national origin, sex, disability, age, genetics, ancestry, sexual orientation, gender identity/expression, criminal record, or active military status. Such harassment in the workplace or school environment is unlawful and is absolutely prohibited. This includes harassment by administrators, certified and support personnel, students, vendors, and other individuals in school or at school-related events. Further, any retaliation against an individual who has complained about harassment or against individuals for cooperating with an investigation of a harassment complaint is similarly unlawful and will not be tolerated.

### **II. PURPOSE AND SCOPE**

Discriminatory harassment is defined as any communication or conduct that is sufficiently serious to limit or deny the ability of a student to participate in or benefit from the educational program or the ability of a staff member to perform his/her duties. It includes, but is not limited to, any communication, written, spoken or otherwise, such as jokes, comments, innuendoes, notes; material placed on the internet or other electronic media such as email, web page, and voice mail; writing placed on school property, the display of pictures or symbols, graffiti, gestures, or other conduct that offends or shows disrespect to others based upon race, color, national origin, sex, disability, age, genetics, ancestry, sexual orientation, gender identity/expression, criminal record, or active military status.

Law views the particular communication or conduct from the perspective of a reasonable person with the characteristic on which the harassment is based. Another person may reasonably view what one person may consider acceptable behavior as harassment; therefore, individuals should consider how other individuals might view their words and actions.

It should be noted that, while this policy sets forth the goal of the Winthrop Public Schools to maintain a work and educational environment that is free of harassment based upon race, color, national origin, sex, disability, age, genetics, ancestry, sexual orientation, gender identity/expression, criminal record, or active military status the policy is not designed or intended to limit the authority of school officials to discipline or take remedial action for conduct which is deemed unacceptable, whether or not that conduct satisfies the definition of harassment.

This policy may apply to forms of discriminatory harassment that occurs between co-workers between students, and between students and school personnel that takes place outside the school environment (including, but not limited to, online conduct or conduct utilizing the internet or other electronic media). When the conduct complained of occurs outside of the workplace, the school may consider the following and other factors in assessing whether the conduct constitutes conduct in violation of this policy

- whether the event at which the conduct occurred is linked to the School in any way, such as at a School-sponsored function;
- whether the conduct occurred during work/school hours;

- the severity of the alleged outside-of-school conduct;
- the work/school relationship of the complainant and alleged harasser, which includes whether the alleged harasser is a supervisor/faculty and whether the alleged harasser and complainant come into contact with one another on the job or in the School environment;
- whether the conduct adversely affected the terms and conditions of the complainant's employment or education or impacted the complainant's work/school environment

### **III . Examples of Prohibited Conduct**

It is not possible to list all the circumstances that may constitute discriminatory harassment in violation of this policy. Discrimination may take many forms, including both verbal and nonverbal behaviors. Prohibited behavior includes, but is not limited to, the following behaviors connected to someone's membership in one or more groups protected by law as noted in the first paragraph above: slurs or other derogatory comments; sharing demeaning pictures, cartoons, or jokes; demeaning gestures, and; any conduct constituting sexual harassment

**IV. While all types of discriminatory harassment are prohibited, sexual harassment requires particular attention. Sexual harassment includes sexual advances, requests for sexual favors, and/or other verbal or physical conduct of a sexual nature when:**

1. Acceptance of or submission to such conduct is made either explicitly or implicitly a term or condition of employment or education, or
2. The individual's response to such conduct is used as a basis for employment decisions affecting an employee or as a basis for educational, disciplinary, or other decisions affecting a student, or
3. Such conduct interferes with an individual's job duties, education, or participation in extracurricular activities, or
4. The conduct creates an intimidating, hostile or offensive work or school environment. The legal definition of sexual harassment is broad. In addition to the above examples, other sexually oriented conduct, whether it is intended or not, that is unwelcome and has the effect of creating a work or educational environment that is hostile, offensive, intimidating or humiliating to individuals of either gender may also constitute sexual harassment.

While it is not possible to list all those additional circumstances that may constitute sexual harassment, the following are some examples of conduct, which if unwelcome, may constitute sexual harassment depending upon the totality of the circumstances including the severity of the conduct and its pervasiveness:

- Unwelcome sexual advances - whether they involve physical touching or not;
- Sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one's sex life; comment on an individual's body, comment about an individual's sexual

activity, deficiencies, or prowess;

- Displaying sexually suggestive objects, pictures, cartoons;
- Unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments;
- Inquiries into one's sexual experiences, and;
- Discussion of one's sexual activities

The victim or complainant as well as the harasser may be male or female. The victim or complainant does not have to be of the opposite sex. The complainant does not have to be a person directly harassed, but may be someone affected by the offensive conduct.

**All employees and students should take special note that, retaliation against an individual who has complained about sexual and or discriminatory harassment, and retaliation against individuals for cooperating with an investigation of a sexual harassment complaint is unlawful and will not be tolerated by this organization.**

- Sexual violence is a form of sex discrimination and is prohibited. It is generally defined as contact of a sexual nature that occurs without the **effective consent** of an individual involved.
- Effective consent cannot be given by minors, those who are incapacitated as a result of alcohol or other drug consumption, or those who are otherwise incapacitated or unconscious.
- Consent as a result of coercion, intimidation, threat of force or force is not effective consent.
- An individual may also be unable to give consent due to an intellectual or other disability. In the state of Massachusetts, **consent can never be given by a minor under the age of 16.**

Examples of sexual violence include, but are not limited to:

- acts of rape (stranger and acquaintance);
- having sexual contact with someone who is incapacitated (e.g., from alcohol or drug usage) such that their decision-making ability is compromised and they are unable to consent;
- continuing a sexual act after either party has made it clear, either verbally or by conduct, that they do not wish to continue physical contact, and other forms of coerced sexual activity, including unwanted touching, fondling or other forms of sexual conduct.

The School also prohibits other forms of sexual misconduct, including:

- obscene or indecent behavior, such as the exposure of one's sexual organs or the display of offensive sexual behavior,
- deliberate observation of others for sexual purposes without their consent,
- taking or posting of photographs, videos or images of a sexual nature without consent,
- and possession or distribution of illegal pornography.

In addition to the above, specific examples of sexual misconduct constituting violations of this Policy include:

- Sexual Assault - Penetration, no matter how slight, of a vagina or anus with a sex organ or object, or oral penetration by a sex organ of another person, without the consent of the victim, or non-consensual touching of a sexual nature of another person with or without force.
- Domestic Violence - violent misdemeanor and felony offenses committed by a victim's current or former spouse, current or former cohabitant, person with whom a victim shares a child, or individuals engaged in a substantive dating relationship as defined by M.G.L Chapter 20A.
- Dating Violence - Violence by a person who has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship is determined by (a) its length, (b) its type, and (c) frequency of interaction of persons involved in the relationship.
- Stalking – an intentional course of repeated conduct or behavior over a period of time directed at a specific person that would cause a reasonable person to (a) fear for her, his or other's safety, or (b) to suffer substantial emotional distress.

Anyone who has been subject to any sexual violence, misconduct or domestic violence is encouraged to report the incident to the Winthrop Police Department, the Title IX Coordinator or Deputy Title IX Coordinators listed within this policy.

## **V. REPORTING**

The Winthrop Public Schools strongly urges all individuals in the school community to bring any complaint of discriminatory harassment, sexual harassment and/or sexual misconduct including sexual violence to the attention of school personnel so that they can resolve the issue. Complaints may be made orally and/or in writing. The Winthrop Public Schools will promptly review every complaint, take necessary action to eliminate the conduct and work to ensure the safety of the complainant and any/all witnesses.

In response to incidents of sexual misconduct and or violence, individuals including students and if applicable, their parents or guardians may simultaneously contact law enforcement and/or file a criminal complaint.

Students are also encouraged to report any incident to Superintendent John Macero, and/or the Complaint Manager. **In response to reports of sexual violence, discriminatory and sexual harassment, students should understand that not all personnel are allowed to maintain strict confidentiality.**

Local resources are that are obligated by law to maintain confidentiality include:

- Boston Area Rape Crisis Center (24-hour hotline): (800) 841-8371
- SAFE-LINK DOMESTIC VIOLENCE HOTLINE- 1-877-285-2020

If an individual request that a report of sexual misconduct remain confidential, the District will make all reasonable efforts to preserve the confidentiality of and prevent the disclosure of the identities of the parties involved in a sexual misconduct matter. However, information regarding alleged sexual misconduct must be handled in accordance with applicable state and federal laws. Individuals should understand, for example, that under conditions of potential imminent harm to the community, the School may be required by law to inform law enforcement.

### **Employee Complaints:**

An employee who believes that he/she is the victim of sexual and/or discriminatory harassment or sexual misconduct should contact:

Central Office: Jennifer O'Connell PPS Director (617) 329-3609  
E-mail: joconnell@winthrop.k12.ma.us

If an employee does not wish to discuss the issue with the persons listed within this policy or feels that he/she is not addressing the problem in an effective manner, the employee should contact the Superintendent of Schools, 1 Metcalf Square, Winthrop, MA 02152, 617-846-5500.

### **Student Complaints:**

A student who believes that he/she is the victim of sexual, discriminatory harassment and /or sexual assault or misconduct should promptly report the matter to a teacher, counselor, or administrator who in turn shall notify in writing a complaint manager in the school. As an alternative, a student may report directly to a complaint manager. Notice of each school's complaint managers will be posted in a prominent location in the school.

All employees of the Winthrop Public Schools must respond to complaints by students of harassment by notifying the building principal or an appointed complaint manager verbally and in writing regarding the alleged policy violation. Employees are required to take every report of harassment seriously. A student may also file a complaint by contacting:

**Title IX Coordinator:** Jennifer O'Connell  
60 Payson Street  
Winthrop MA 02152  
(617) 329-3609

## **LIST OF COMPLAINT MANAGERS FOR EACH SCHOOL**

### **William P. Gorman Fort Banks School**

Ilene Pearson, Principal	617-846-5509	<a href="mailto:ipearson@winthrop.k12.ma.us">ipearson@winthrop.k12.ma.us</a>
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### **Arthur T. Cummings School**

Norah Grimes	617-846-5543	<a href="mailto:ngrimes@winthrop.k12.ma.us">ngrimes@winthrop.k12.ma.us</a>
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### **Winthrop Middle School**

Brian Curley, Principal	617-846-5507	<a href="mailto:bcurley@winthrop.k12.ma.us">bcurley@winthrop.k12.ma.us</a>
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### **Winthrop High School**

Matt Crombie, Principal	617-846-5505	<a href="mailto:mcrombie@winthrop.k12.ma.us">mcrombie@winthrop.k12.ma.us</a>
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### **Central Office**

Jennifer O'Connell, PPS Director	617-329-3609	<a href="mailto:joconnell@winthrop.k12.ma.us">joconnell@winthrop.k12.ma.us</a>
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The persons and Superintendent as listed above are also available to provide information about this policy and the Winthrop Public Schools' complaint process.

If a student does not wish to discuss the issue with a teacher, counselor, administrator, complaint manager, or the Director of Student Services, or if the student feels that the aforementioned people do not address the problem in an effective manner, the student should contact the Superintendent of Schools at 617-846-5500.

Informal and Formal Grievance Procedures have been established to meet the requirements of Title IX, the ADA, the ADAAA and Section 504 of the Rehabilitation Act of 1973. Any person who wishes to file a complaint alleging discrimination on the basis of disability or sex in the provision of services, activities, programs or benefits by the Winthrop Public Schools (WPS) may use the grievance procedures.

The Informal Procedure to resolve the allegations of a complainant may be requested by the complainant in consultation with the Title IX Coordinator and Superintendent. In these cases, the Title IX Coordinator in consultation with the Superintendent shall determine whether or not alternative informal resolution measures are appropriate based on the nature of the complaint. Informal Procedures to resolve complaints may include a meeting of the parties, or other means to resolve the allegations with the assistance of a counselor, teacher, or other school or WPS staff. The informal procedure may be abandoned at any time in favor of the initiation of formal procedures and shall not hinder or prohibit the School from initiating and conducting an investigation.

## **IV. INVESTIGATION AND COMPLAINT RESOLUTION**

The Winthrop Public Schools will promptly review every complaint, take necessary action to

eliminate the conduct and work to ensure the safety of the complainant and any/all witnesses.

The Winthrop Public Schools shall promptly initiate an investigation into allegations of sexual and discriminatory harassment including sexual assault and misconduct while observing all relevant state and federal laws and regulations and school system policies and procedures, as well as applicable contractual requirements. During the investigation and prior to a final determination, the Title IX Coordinator and/or appropriate administrator will take appropriate interim measures to protect the complainant. During an investigation, the complainant and accused may present witnesses and other evidence. Victims of sexual/discriminatory harassment, and /or sexual assault will not be required to mediate allegations of harassment with their alleged perpetrators without appropriate involvement by the District, and further, any mediation process can be terminated by the victim at any time. Both the complainant and the accused individuals shall be notified by the School District of the outcome of any investigation.

The Title IX Coordinator in consultation with the School's Complaint Manager/and or Superintendent will coordinate the investigation. Typical steps in an investigation include separate interviews with those involved, putting statements from each party in writing, identifying and questioning witnesses, and other appropriate actions. The District will conduct the investigation with as much confidentiality and privacy for the parties as possible without compromising the thoroughness of the investigation. The District will caution all participants in the investigation to limit discussions to those staff directly involved in the investigation and to treat the matter as confidential as practicable. Individuals are expected to cooperate fully in any investigation. Failure to do so may result in disciplinary action up to and including termination/expulsion.

The District will endeavor to complete the investigation within thirty (30) school days of receiving the complaint, unless the nature of the investigation or exigent circumstances dictate otherwise, in which case the investigation will be completed as promptly as practicable. Also, if the respondent is subject to a collective bargaining agreement that sets forth a specific time line for notice and/or investigation of a complaint, such time line will be followed. During Title IX investigations, the District will use the preponderance of the evidence standard in determining whether or not District Policies have been violated in relation to sexual violence, and discriminatory and sexual harassment complaints.

Upon completion of the investigation, the Compliance Officer will issue a written report to the Superintendent. The Superintendent will issue a decision within ten (10) school days of receiving the Compliance Officer's report. If the complainant or the accused is not satisfied with the Superintendent's decision, an appeal may be filed with the Superintendent by either the complainant and/or the accused or by their guardian(s) within five (5) calendar days of receiving the decision. Within thirty (30) days of receiving the record, the Superintendent will render a final decision in writing.

If the District determines that the Policy Prohibiting Discriminatory Harassment, Sexual Harassment and Misconduct has been violated, the District will take appropriate action promptly to stop the offending conduct and ensure that it is not repeated. Depending on the severity of the incident (s), such corrective action may include counseling, training, a verbal or written warning, suspension, or termination/expulsion. Following substantiated instances of discriminatory and sexual harassment, including sexual misconduct and violence, the District will take reasonable steps to address the effects of the conduct including

but not limited to supporting victims' access to the District's programs, services, and activities.

In certain cases, harassment of a student, and in particular, sexual harassment of a student, may constitute child abuse under Massachusetts laws. Verbal sexual harassment of any child by anyone, including school district employees/volunteers, is recognized as a form of child abuse and a warning sign of actual physical or sexual abuse. Such abuse must be reported immediately to the Department of Social Services in accordance with the requirements of M.G.L. c. I 19, s. 51A. A matter reported under this section shall be screened to determine whether an investigation is pursuant to the Child Abuse and Neglect Policy, the Sexual Harassment Policy, or both. The Winthrop Public Schools will comply with all legal requirements governing the reporting of suspected cases of child abuse.

## **V. PENALTIES:**

**Persons who engage in discriminatory, sexual harassment, sexual misconduct and assault including retaliation may be subject to suspension, termination/expulsion or other sanctions, subject to applicable school system policies and procedures, as well as applicable contractual requirements.**

An individual determined to have violated the District's policies related to discriminatory/sexual harassment, and/or sexual misconduct may be subject to the following sanctions or a combination thereof:

### **All Students**

- a. Mediation involving a third party; remedial training
- b. Reprimand either verbal or written
- c. Suspension in-house or out of school
- d. Expulsion

### **All Staff**

- a. Mediation involving a third party; remedial training
- b. Reprimand either verbal or written
- c. Suspension with or without pay
- d. Dismissal

## **VI. TRAINING AND EDUCATION**

The Winthrop Public Schools remains committed to ensuring all faculty, school administrators, students and school personnel, guidance counselors and paraprofessionals complete mandatory training to include but not limited to:

- What constitutes sexual and discriminatory harassment including sexual violence under Title IX
- The differences and similarities between harassment and bullying
- The responsibility of staff to report incidents of discriminatory and sexual harassment,



including sexual violence of which they have knowledge

- The District's obligation to respond to notice of discrimination or possible discrimination under Title IX
- The District's approved complaint and grievance procedures
- Appropriate and effective complaint response and interventions

The Winthrop Public Schools will ensure mandatory training is provided to all investigator staff including building and Title IX Coordinators, and/all staff responsible for conducting Title IX investigations on how to conduct thorough, prompt, impartial and reliable investigations pursuant to Title IX to include but not limited to:

- The definition and scope of hostile work environment, discriminatory and sexual harassment including sexual violence
- The differences and similarities between harassment and bullying
- Appropriate remedial actions and remedies in response to complaints of sexual and discriminatory harassment
- The District's obligation to inform both the complainant and accused of the outcome of an investigation
- Best practices for tracking patterns, incidents, systemic problems, climates and trends
- Effective complaint response, interview skills and investigation report writing
- Effective complaint resolution and appropriate resources for victims and accused.

The Winthrop Public Schools will facilitate training for all students to include but not limited to:

- A thorough overview of what constitutes discriminatory and sexual harassment, including sexual misconduct
- The importance of reporting incidents including a review of all reporting avenues
- The District's obligation to respond to and resolve complaints; including a thorough review of the District's grievance policies.
- Student confidential and non-confidential reporting options

## **V. CONTACT AND REFERRAL INFORMATION**

State agencies that enforce laws prohibiting harassment or receive complaints thereunder include:

## **Massachusetts Commission Against Discrimination (MCAD)**

### Boston Office:

One Ashburton Place,  
Rm. 601  
Boston, MA 02108  
(617) 994-6000

### Worcester Office:

455 Main Street  
Room 100  
Worcester, MA 01608  
(508) 799-8010

### Springfield Office:

424 Dwight Street  
Rm. 220  
Springfield, MA 01103  
(413) 739-2145

### New Bedford Office:

800 Purchase Street  
Room 501  
New Bedford, MA 02740

## **Massachusetts Department of Elementary and Secondary Education**

75 Pleasant Street  
Malden, MA 02148  
(781) 338-3300.

Federal agencies responsible for enforcing federal laws prohibiting harassment include:

## **United States Equal Employment Opportunity Commission (EEOC)**

John F. Kennedy Federal Building  
475 Government Center  
Boston, MA 02203  
(800)-669-4000

U.S. Department of Education, Office for Civil Rights (OCR),  
J.F. Kennedy Federal Building - Room 1875  
Boston, MA 02203  
(800) 368-1019

## **VI. LEGAL REFERENCES**

Mass. Gen. Laws. Ch. 151B  
Mass. Gen. Laws Ch. 76, s. 5/Chapter 622  
Title VI of the Civil Rights Act of 1964  
Title VII of the Civil Rights Act of 1964

Title IX of the Education Amendments of 1972  
Age Discrimination in Employment Act of 1967  
Americans with Disabilities Act of 1990  
Section 504 of the Rehabilitation Act of 1973

**WINTHROP PUBLIC SCHOOLS  
COMPLAINT/INCIDENT REPORT FORM**

Name of Complainant: \_\_\_\_\_

Complainant's School and Class/Job Title: \_\_\_\_\_

Address: \_\_\_\_\_

Email Address: \_\_\_\_\_ Phone Number(s): \_\_\_\_\_

Name(s) of Parent/Legal Guardian (if applicable): \_\_\_\_\_

Address: \_\_\_\_\_

Email Address: \_\_\_\_\_ Phone Number(s): \_\_\_\_\_

Nature or Complaint: This may include but is not limited to incidents of discriminatory and sexual harassment, retaliation, sexual misconduct/assault and bullying.

Dates of Alleged Incident(s): \_\_\_\_\_

Names of the person(s) you are reporting:

Please describe in detail the incidents of alleged misconduct; including where and when the incidents occurred. Please name any witnesses that may have information regarding the alleged misconduct. Attach additional pages if necessary.

Please describe any past incidents that may be related to this complaint. Attach additional page(s) if needed.

I certify that the information provided in this report is true, correct and complete to the best of my knowledge.

Signature of Complainant \_\_\_\_\_ Date \_\_\_\_\_

Complaint Received By: \_\_\_\_\_ Date \_\_\_\_\_

Compliance Officer



## Handbook/Code of Conduct

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